

Independence Papers

Reprints principally from
THE CANADIAN NATION
and
THE STATESMAN

by

John S. Ewart, K.C.

Ottawa, 1921

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Independence Papers

The Imperialists and War Enthusiasm

ALTHOUGH effective prosecution of the war is the great object to which attention ought primarily to be devoted, exploitation of war enthusiasms for the furtherance of particular schemes—social, financial, or political—ought not to be allowed to escape observation and, if necessary, criticism and condemnation. Protectionists in England, for example, are making great play with war conditions. They have in their ranks no such man as Joseph Chamberlain, whose appeal was directed, in quiet times, to undisturbed rationality. Tariff Reform died with the suspension of the activities of the great leader. Now it lives again. War antipathies gave us the absurd resolutions of the Paris Conference of June, 1916—already disregarded, and, if not repudiated, almost forgotten. War disturbance is the explanation of the report of the Lord Balfour of Burleigh Committee of February, 1917. Protectionists are pushing their private purposes, and the Free Traders are once more engaged in defensive struggle. Given a certain prolongation of the war, and emergence of the same phenomenon in Canada might have been predicted. It has arrived.

The Imperialists

Of all the practicers upon present patriotism, the Imperialists are, I think, the most audacious. To achieve their purpose, in a recent period, Mr. Chamberlain devoted much of his time and ability. Indeed, he subordinated tariff reform to imperialistic domination. "I am a fiscal reformer," he said, "mainly because I am an Imperialist." But Mr. Chamberlain suffered defeat upon every one of his proposals: that the Dominions would leave certain manufactures to the British producer; that "a great council of the Empire," which might develop into "a new government with large powers of taxation and legislation," should be formed; that steps should be taken looking towards "the political federation of the Empire"; that the Dominions should send annual contributions to the support of the British navy; that the Dominions should agree "to place at the disposal of His Majesty's government for extra-colonial service in a war with a European power" certain specified contingents of men—"an Imperial Field Force"; that there should be formed an "Imperial Court of Appeal," and, with that in view, that Australia ought not to be permitted to settle, finally, its own law-suits. All these schemes met with rapid and overwhelming

defeat. But for Mr. Lionel Curtis, we should have heard no more of them until the outbreak of war. Now they are being revived, but with a deprecatory care which is as strikingly in contrast with Mr. Chamberlain's robust methods as it is more dangerous. Formulated plans are disclaimed. The "British method" of "muddling through" is hopefully apostrophised. And Sir Robert Borden counsels patience.

"It would be rash," he told us, "to predict the method by which that great problem will be solved."

With this last statement I venture to disagree. To me, it is clear that if the problem is ever solved to the liking of the Imperialists, the method of its solution will be that which is being very successfully pursued at the present moment. In *Kingdom Paper No. 21*, I have called it "the Milner method." It consists of slyly slipping into present institutions, detached pieces of imperialistic structure; getting people accustomed, as rapidly as possible, to their appearance, and, finally presenting a well-advanced system of imperial control in active operation.

I have said that the imperialists are the most audacious of war-profiteers—I may add that they are the most reprehensible. It is pre-eminently right that our Ministers should be taken into consultation by the British Government with reference to all matters connected with the prosecution of the war. Canada is one of the participants in the great tragedy, and, as such, ought to have a voice in the policies to be pursued. Just as representatives of the Allies meet from time to time in Paris, so ought representatives of the different parts of the King's Dominions consult together, from time to time in London. And it is quite right, too, that commissioners from the United Kingdom should meet with commissioners from the Dominions for the purpose of considering the improvement of their trade relations. But it is absolutely wrong, and unqualifiedly unjustifiable, that such meetings should be perverted to the advancement of the centralizing purposes of the Imperialists. That is what has happened and is happening.

What, for example, can be more deplorably imperialistic than the creation of an "Imperial Développement Board," charged with the "scientific development of the resources of the Empire," and, for that purpose, having, as one of its functions, the duty of "advising and guiding" the Dominion governments "as to the requirements of the Empire," and of watching "carefully any tendency toward change"—a Board framed because each of the Dominions has heretofore pursued its own ends, and has directed its activities from the standpoint of its local interests.

without due regard to "the interests of the whole Empire"—that is, without regard to the interests of the United Kingdom? Even that proposal has been outdone by the superlatively imperialistic project of treating the natural resources of the Dominions, not as belonging to themselves, but as "resources of the Empire." How useful, think the imperialists, would those resources be if, for example, some European country would not make proper trade arrangements with the Empire.

"The possession of assets," they say, "such as the Canadian asbestos and nickel supplies, could be used by the British Empire, as a powerful means of economic defence."

These proposals form parts of one of the reports of the Dominions Royal Commission; and among the signatures at the end of it is that of the Minister of Trade and Commerce of Canada.

Our Prime Minister has, weakly, lent himself to something, in one respect, still more indefensible and more pernicious. Stampeded by the enthusiasms of Mr. Lloyd George and the more dangerous wiles of Lord Milner, Sir Robert, when last year in England, spoke of himself as a member of an "Imperial War Cabinet." He described the proceedings in which he had been taking part as involving

revolutionary changes in the government of the Empire;
and he said that people might be

pardoned for believing that they discern therein the birth of a new and greater imperial commonwealth.

"The very fact of circumstances," he said on another occasion, "has brought about an important advance in constitutional relations."

Beyond the fact that members of the Dominion governments had been taken into consultation with the members of the government of the United Kingdom, there was nothing new in what was being done. And this new incident was due solely and necessarily to the fact that, for the first time, the Dominions were making a most substantial contribution to the prosecution of a prolonged war.

Imperial Cabinet a Misnomer

Sir Robert, in using the word "Cabinet," knew quite well that he was making a misapplication of it. He was no more a member of the British Cabinet because he went into consultation with British ministers than was Mr. Balfour a member of the Canadian Government when he attended some of its meetings in Ottawa. The misapplication of the word was, no doubt, designed by Lord Milner and his *entourage* for the

purpose of giving the appearance of a change in constitutional relations—of “*an advance*” towards centralized control. It is hardly possible that the design could have escaped Sir Robert’s attention; and it is most deplorable that, instead of resenting the phraseology, he should have adopted it.

Sir Robert knew perfectly that he was talking nonsense—Imperialistic nonsense, invented for Imperialistic purposes. He never sat in any “Cabinet,” except the Canadian. There are not two Cabinets in London. There is only one—the traditional British Parliamentary Cabinet, of which Sir Robert is not, and, without a seat in the British Parliament, cannot be a member. If there were a separate Parliament, there would naturally be a separate Imperial Cabinet. But without such a Parliament, there cannot be, and there never will be such a “Cabinet.” The men sit, if you wish, in conference. They are no more a “Cabinet” than they are a House of Lords, or a balloon.

What is a Cabinet?—If they were, the books on constitutional law and constitutional history would have to be re-written. Dicey, for example, says that a Cabinet is:

a parliamentary executive, for it is in truth chosen by a very indirect process, and may be dismissed by the House of Commons, and its numbers are invariably selected from among the members of one or other House of Parliament.

Lowell says that a Cabinet is:

a committee of the party that has a majority in the House of Commons.

And Sir Courtenay Ilbert says:

The essential features of the Cabinet system of government, those which distinguish it from the presidential system of the United States, and from what is called constitutional monarchy in Germany and Austria, are that the King’s principal Ministers, the men who are responsible for the government of the country, must be members of Parliament, and must resign office if they are unable to command the confidence of the dominant party in the House of Commons. They are the link between the executive authority and the legislative authority. . . . The most important of these Ministers constitute the Cabinet, a body of about twenty persons, having the Prime Minister as their chief.

Of course, you may give to words a meaning which they have never possessed, but you are very palpably dishonest if you do that for the purpose of misleading those to whom you are speaking. Sir Robert ought to have used appropriate language. And the word “Cabinet” is particularly inappropriate. It has never been used except as by the writers above quoted. There never has been a “Cabinet” save in the sense in which they employ the word. And everything which distin-

guishes a Cabinet from other assemblies is absent from what Sir Robert calls the "Imperial War Cabinet." Note the following:

1. The members of a Cabinet must be members of a parliament. There is no such thing as a Cabinet whose members bring credentials from two or more parliaments.

2. A Cabinet is responsible to the parliament from which it originates. There is no such thing as a Cabinet responsible to two or more parliaments.

3. A Cabinet must resign when it loses the confidence of the parliament to which it is responsible. There is no such thing as a Cabinet which holds office at the will of two or more parliaments.

4. A Cabinet is composed of men who are in substantial agreement upon the questions with which they have to deal. The members are chosen by the Prime Minister because of the existence of such agreement. There is no such thing as a Cabinet composed partly of men imposed upon the Prime Minister by parliaments other than the one from which he himself emanates.

5. When a member of a Cabinet finds himself out of harmony with the Prime Minister upon some substantial point, he resigns—either of his own motion or because requested. There is no such thing as a Cabinet composed partly of *ex-officio* members, who are admitted because of their position in other parliamentary bodies; who continue whether they agree or disagree with the Prime Minister; who remain although the Prime Minister himself may be compelled by his own parliament to retire; who enter into similar relations with the new Prime Minister—however divergent from the old policy the new may be; who are unable to resign the position; no matter how disagreeable it may be (for they hold it *ex-officio*); and who leave it, not because of any disagreement, but solely because they have ceased to occupy some other, quite unrelated, position.

All this is the A. B. C. of British system of government, and nobody is more familiar with it than Sir Robert. For example, in the first speech which he made in our own House of Commons, after his return from England, he said:

It is a remarkable body that was gathered together. First there were the members of the Cabinet of the United Kingdom, the five men who constitute that Cabinet, but who call into counsel with them other members of the British Government whenever necessary.

That is to say: Members of the British Government (but not of the Cabinet) sometimes attend meetings of the Cabinet; but they do not on that account become members of the Cabinet. And in the same way, members of the Canadian Government sometimes attend meetings of the British Cabinet; but they do not on that account become members of the Cabinet. Much less does the fact of their attendance change the British Cabinet into that which it was not, or make it anything but what it was.

Polygamy in Canada

The Imperialists are getting us. Borden's complacency is their opportunity. When Sir John Macdonald was asked to join four British Commissioners in proposed bargaining with the United States he assented with the greatest reluctance.

I pointed out to my colleagues, he said, that I was to be one only of five; that I was in a position of being over-ruled continually in our discussions; and that I could not by any possibility bring due weight from my isolated position. He encountered what he expected; did his best for Canada; and was not only overruled but scolded and lectured by men who, as he said, seemed

to have only one thing in their minds—to go home to England with a treaty in their pockets, settling everything, no matter at what cost to Canada.

Sir Wilfrid Laurier, too, at the Imperial Conference of 1911, explained the dangers of attending meetings in which you have no power, for the purpose of being consulted; and he counselled against it. Sir Robert, on the other hand, goes quite gaily, even boastingly, to meetings of the British Government; gives his advice; argues for it, probably; sometimes submits, and returns to Canada with a policy quite different from that which he had before he left Ottawa (as in the Indian affair); and sometimes, retaining his own view, finds himself compromised and embarrassed (as Sir John did) by the action of those who had over-ruled him. Very plainly, Canadian policy is being formed in London. To that extent Canada has lost—temporarily, I hope—her autonomous right of self-government.

That is sufficiently deplorable; but that he should have been cajoled or driven into surrender of his well-settled policy with reference to the exclusion of Indians from Canada—that he should have given way, under Imperial pressure, upon a point involving the moral life of residents in Canada—that under the constraining influence of London

environment he should have agreed to the introduction of polygamous practices in Canada, is almost as incredible as it is disastrous and true.

Not desiring the presence of Indians, Canada so shaped her policy as to make their entry difficult, without decreeing their absolute exclusion. As a result, some thousands of men secured entrance, but they came without the women, who in their country would be regarded as their wives, and who, according to Canadian law, would be concubines. Then commenced agitation for the admission of the wives and children upon the ground as they themselves put it, that:

The enforced separation of wife and children from husband and father is against all laws of justice, humanity and Christian ethics. Unwholesome conditions are encouraged when man is deprived of those domestic relationships which are the foundation of all civilization.

The sufficient answer, of course, was that under those circumstances, the men ought to go back to their wives. They refused, and for several years Dr. Sunder Singh and his friends kept up the agitation. They had no success. Shortly before the war (May, 1914) with the *Komagata Maru* incident to help him, the Doctor again appealed to Sir Robert, only to find him immovable, and had our Premier remained in Canada his *non-possumus* attitude could not have been changed. In London, on the contrary, he made ignominious somersault, by concurring (1917) in the proposal to send to us, from the Imperial War Conference, various bits of advice with reference to our Indian policy, among which was the following:

As regards Indians already permanently settled in the Dominions they should be allowed to bring in their wives (subject to the rule of monogamy) and minor children.

What "subject to the rule of monogamy" was intended to mean, I cannot say, and the point is immaterial, for during his visit to London of this year Sir Robert completed the surrender. A Canadian Press despatch informs us that the effect of a decision of "The Imperial War Conference" is

That the several communities of the British Empire including India shall enjoy complete control of the composition of their own population by means of restriction on immigration from any other communities. This decision was in the nature of a surrender on the part of the representatives of India, who had asserted the rights of India to settle in any part of the British Empire. By way of return, the representatives of Canada agreed that natives of India now resident in Canada, and who number approximately 2,000, should be allowed to bring in their wives and minor children, on the condition that not more than one wife and her children shall be admitted for each Indian.

I can hardly believe that Sir Robert admitted the existence of any doubt as to Canada's power to exclude from her shores any persons whom she may regard as undesirable. But, possibly, as no other excuse for his surrender could be suggested, he may have thought that a poor excuse was better than none, and accepted it. Whatever the explanation, the result is disastrous. Each of the 2,000 (there are, in reality, a great many more) may select the "wife" who pleases him best—possibly the first of the series, but probably the last. For the future, a reference to the morals of British Columbia will indicate a place as well as a date. And if we ask why Canada's Premier agreed to the diversion of Canada into polygamous paths? the only possible reply is that the Milner piper was playing Imperialistic tunes and that Borden is a perfect gentleman. In his speech at the Toronto Exhibition, Sir Robert said that the first clause of the resolutions passed at the Imperial Conference

was especially important because it accepted the principle (for which Canada has contended the root) that the Government of each Dominion and of India is entitled to complete control of the composition of its own population by restriction if necessary on migration from any other part of the Empire.

Let me remind Sir Robert that the legal and constitutional position of Canada in this respect has not, for many years, been questioned by anybody. And let me tell him that if anybody at the Conference did assume to question it, the duty of the Premier of Canada was to maintain its indisputability. That he should regard a resolution of the Conference affirming our right as of the slightest importance, other than as a piece of impertinence, is most startling evidence of the power of London influence to subdue—yes, to subjugate his thought.

"In return" for the admission of our rights, the third resolution (as Sir Robert states it) gives to Indians now residing in Canada permission to select from among their "wives" one of them and her children for residence in Canada

Hitherto, he said, the admission of wives and children has been prohibited in effect by the laws of Canada, although it has been allowed in some other parts of the Empire. The proposed departure from previous practice is supported by the example of other parts of the Empire, is warranted by humane considerations and is fortified by the splendid devotion and loyalty of the Indian people throughout the war.

Merely remarking that if the "laws of Canada" are to remain the laws of Canada, we shall have to arrange that Sir Robert shall remain at home, let us observe the three grounds upon which he tells us that

the law ought to be changed. First—If humane considerations required that the men and the women should live together, and if moral considerations (according to Canadian ideas) prohibit men and women who are not husbands and wives living together in Canada, the plain conclusion is that the men ought to go to the women in India—whom, indeed, they ought never to have left. Secondly—I am not aware that the Indian people have exhibited any greater loyalty and devotion than have the Canadians. We are in no way in their debt. And if we were, we ought to find some way of making payment other than by the introduction into our country of practices which we deem to be immoral. And thirdly—If “the example of other parts of the Empire” is to influence us, it will be, when we understand the subject, not as an encouragement, but as a warning.

Sir Robert’s reference is to South Africa; and if anyone wishes to obtain an idea of the manifold difficulties and embarrassments which inevitably follow upon the admission of polygamous Indians into a white Christian community, there is no literature better than the history of South Africa to which he can go for enlightenment. Only the merest sketch can be attempted here. If necessary, it can easily be supplemented.

Natal and the Transvaal (the two Provinces in which the trouble arose) never had a chance of dealing independently with the subject. At the time of the annexation of Natal, Sir George Napier issued a proclamation (May 1843) declaring:

That there shall not be, in the eye of the law, any distinction or disqualification whether founded on mere distinction of colour, origin, language or creed, but that the protection of the law in letter and in substance shall be extended impartially to all alike.

Although Sir Arthur Lawley, Lieutenant-Governor of the Transvaal, might argue that such a pledge, if it worked badly, must, from the point of view of civilization, . . . be numbered among promises which it is a greater crime to keep than to break—that they would be held by English statesmen to be no more sacred than a promise which inadvertently committed a man to suicide,

yet English statesmen could not escape the unpleasantness of repeated references to the pledge, and they have always felt the necessity of shaping their policy in such a way as to mitigate the reproaches of the Indians, who were unable to understand the compelling force of “the point of view of civilization.” Two other considerations compromised Natal’s freedom of action: It never escaped from Colonial Office direc-

tion until the Union—not altogether then; and it was dependent upon India for coolie labor in the sugar fields. It had to make terms with the Indian Viceroy; and when it offended him, the supply of coolies ceased. Nor was the Transvaal free to act as it wished. After retrocession by the United Kingdom of their country to the Boers in 1881, Indians attempted to enter the territory, and were met by opposition from the whites; whereupon (to quote the language of Lord Selborne when Governor of South Africa):

The British Government enforced the claims of the Asiatics by all the diplomatic means in its power, and the restrictions to which they were subjected were amongst the subjects of disagreement which led to the outbreak of war. In spite, however, of the protests of the British Government, the South African Republic was able to pass and to maintain certain restrictive laws. Now that the country is in the hands of the Imperial Government, the Asiatics who are British subjects naturally claim that the same privileges should be accorded to them as were demanded on their behalf from the Republican Government.

But the claim was disallowed, for (as Selborne said)—

though the moral responsibility of the British Government towards His Majesty's Indian subjects remained unaltered, the British Government were faced with an entirely new set of conflicting responsibilities which they had assumed towards the inhabitants of the Transvaal, many of whom now became British subjects for the first time.

The extent to which the British Government had insisted upon what Dooley, somewhat exaggeratedly, said was

the right of a British subject to get off the train in any part of the world, and plump his Imperial vote if he wants to,

may be seen in the clause of the London Convention of 1884, which provided that all persons (other than the natives of the Transvaal) who conformed themselves to the law,

will have full liberty, with their families, to enter, travel, or reside in any part of the South African Republic.

Practically, the British Government could not give to the Indians the rights which it had demanded from the Boer Government, but those demands remained to worry successive Colonial Secretaries. Lord Milner found the subject to be, as he said, a "thorny question." The "influx of Asiatics, since the peace" (1902) made action necessary. *Eventually, in 1907, in the Transvaal, and in 1913, in the Union, laws were passed effectually excluding male Indians altogether.*

Until after the formation of the Union there was little difficulty with reference to the admission of the "wives" of the coolies. The ques-

tion had not been of any importance except in Natal, where, as must now be noted, the Indians outnumbered the Europeans—125,000 of the former to less than 100,000 of the latter. Into that colony, "wives" were admitted, provided that for each Indian there was but one of his set; and the children of that "wife" were also admitted. Natal had no option in the matter. She needed the men, and she had to take them upon the terms upon which they would come—and, indeed, upon which they would be allowed to come by the Viceroy of India.

Cape Colony was in different position. It was under no such obligation. And so, protecting itself by legislation (1904 and 1906) from unrestricted inflow, it sanctioned the admission only of the "wife" of the man admitted. What that meant was sufficiently clear, namely, a wife according to Cape law. Contention to the contrary was raised in the courts, but without success, and the case of Esop vs. The Minister of the Interior, decided by Mr. Justice Searle (March 1913) was regarded as settling the point. A woman who "marries" a man according to forms which permit him to "marry" other women is not a wife at all under Cape, or English, or Canadian law. It is immaterial whether he ever does "marry" again. He has not agreed to "marry" this first one, in our sense. *He has merely made a polygamous arrangement.* With this decision before it, the Union Parliament provided, in the Immigrants' Regulation Act, 1913, for the admission of

the wife or child of a lawful and monogamous marriage duly celebrated according to the rites of any religious faith outside the Union.

These words left no room for doubt, and the Supreme Court had no difficulty in deciding (in the *Bibi case*) that in the words "lawful and monogamous marriage" are included only such marriages as are recognized as valid in South Africa, as well as in England namely,

the voluntary union of one man with one woman, to the exclusion, while it lasts, of all others.

And consequently (in the language of the India Enquiry Commission of 1914)

The marriage of a man with one woman, under a system which recognizes the right of the husband to marry another woman was, in law, not monogamous but polygamous.

Although the statute was, thus, indubitably clear, the Governor appears to have succeeded in obtaining assurance from the Union Government that, administratively, the former practice of winking at

evasions would be continued. But the Indians were not made aware of this arrangement, and, observing that the Government was enforcing the statute (in the Bibi case), they for that reason and another, not only instituted a strike on a large scale (resulting in riots and deaths), but, as the report above referred to indicates, over 2,200 of them

began a march from the coal districts into the Transvaal with the deliberate object of contravening the Immigrants' Regulation Act, 1913, and of courting arrest and imprisonment.

Whereupon Lord Hardinge, the Viceroy of India, made a speech (November 24th) at Madras which ought to have been followed by his dismissal. In demagogic language, declaiming upon "their rights as free citizens of the British Empire," he said that

It is unfortunately not easy to find means by which India can make her indignation seriously felt by those who hold the reins of government in that country. Recently your compatriots in South Africa have taken matters into their own hands, by organizing what is called passive resistance to laws which they consider invidious and unjust, an opinion which we, who watch their struggles from afar, cannot but share. They have violated, as they intended to violate, those laws with full knowledge of the penalties involved and ready with all courage and patience to endure those penalties. In all this they have the sympathy of India, deep and burning, and not only of India, but of all those who like myself, without being Indians themselves, have feelings of sympathy for the people of this country.

Under all these circumstances, the Union Parliament gave way (but only after considerable opposition from Natal and the Orange Free State) and legalized the practice of admitting a "wife" according to Indian polygamous conceptions. A competent writer in *The Round Table* tells us that

The deciding factor, which carried the Bill in the face of much bitter and unreasoning criticism, was the realization of the Imperial difficulties in India by an increasing majority drawn from all parties.

The Governor afterwards said:

In South Africa I believe the Bill was an act of justice. But in the Imperial interest it was an urgent necessity.

A few words now as to the practical working of Sir Robert's proposal.

1. According to our law, if a man does not support his wife, he may be compelled to do his duty, in that respect. But we shall have no such hold upon the Indians. Their "wives" are not wives in our view. They are merely women who may be put aside at any moment. The

day after the arrival of his "wife," the Indian may turn her into the street.

2. Even the tenets of his own religion impose no sufficient limit upon waywardness and neglect, for he may always keep harem to the extent of four, and he may divorce as he pleases. Handing her a divorce paper and saying, "I leave her alone," is the appropriate and sufficient formula.

3. From our laws condemnatory of bigamy, the Indians, who adhere to their own system, will be free. For if none of a man's "wives" is a real wife, plainly he cannot be guilty of bigamy. We shall have no assurance that, after an Indian brings in one of his "wives," he will not add some others to his household. For he may keep her; or "leave her alone"; or multiply her, as he pleases.

4. Very clearly, as pointed out by the writer in *The Round Table*, there will, in fact, be no prohibition against plurality of wives.

In fact, the commissioners above referred to suggested that one way to a solution of the South African difficulties was by getting the Indians to

understand that there will be no prohibition against their going through the form of marriage with one or more women after their first marriage has been registered, and that by doing so they will not be incurring any penalties.

5. If one "wife" may be admitted, and others "married," we shall soon be asked to admit all the "wives," and, our principle being gone, we shall have little ground upon which to refuse. We shall probably be willing to accept the view of the commissioners above referred to that our assent "would be regarded as a graceful concession."

6. The Borden proposal will, in practice, open the gates, not merely to thousands of "wives," but to many thousands of children. And there will be no means of checking the assertions as to parentage. South Africa has had plenty of experience along that line. The Minister of the Interior said in 1913:

It would astonish the House to know the amount of fraud that had been going on in the way of the admission of so-called children. Innocent-looking Orientals, said to be under 16 years of age, had been proved to have no connection with the people who had sent for them. Officials had been charged with cruel injustice in separating parents from children, when in almost every case it had been proved that there was no relationship between the alleged parent and child.

Indeed, when a batch is presented to an Inspector, all that he can do is to count them, and if he thinks that there are too many, he fights as best he can against the assertion of twins and triplets.

I have no space for comment. It must suffice, for the present, to point out that Canada has none of the embarrassments which forced South Africa into the very unfortunate position which it occupies:

(1) Canada is not bound by any pledges made at the time of her annexation to the British crown—as was Natal. (2) Nor is she embarrassed by any demands which, prior to that period, the British government had formulated—as in the case of the Transvaal. (3) Nor is she dependent upon India for supplies of coolie labor, and under the necessity of placating the Viceroy. (4) Nor does the loyalty of India in any way depend upon our action in Canada. Sir Robert apparently wishes to pay for that loyalty, not to produce it. (5) Nor do the numbers of Indians now in Canada, and their possible truculence, make placation of them necessary.

Indeed, the only reason for the proposal is that Sir Robert went to London. And to him, I say: Do you not think, Sir Robert, that henceforth it would be better if you were to stay at home?

Constitutional Relations

Persons unfamiliar with the intricacies of constitutional machinery may well be excused for their acceptance of current statements as to the existence of changes in the political relation in which Canada stands to the United Kingdom. Sir Robert Borden declares that “an important advance in constitutional relations” has been brought about. *The London Times* says that the Dominions have emerged from childhood and been raised to the position of “parent states.” And these and other very foolish statements are reverberating throughout Canada. I wish they were true. Through my *Kingdom Papers*, and in other ways, I have done what I could towards the extrication of my country from the humiliation of her present political situation. I have received little thanks. But it is my life’s desire to see it done, and I should welcome with all my heart any step in that direction. In what has recently happened, however, there has been no “advance,” and no change of a political character. There has been nothing (in a constitutional way) but a diversion of previous practices towards imperialistic purposes; an exhibition of centralizing effort; and a most unfortunate concurrence of Sir Robert in plans which, very plainly, have for their ultimate object the

effacement of Canada's present power of self-control. Three points are being referred to as changes in the constitutional relations:

(1) Establishment of what is dishonestly named "The Imperial War Cabinet";

(2) Continuous representation in that "Cabinet."

(3) Correspondence between the British and Dominion Prime Ministers.

A few words as to each of these ought to be sufficient to remove all misconception.

1. The few words, upon the first of the points, have already, in my previous articles, been said. There is no "Imperial War Cabinet." There are meetings between members of the British Cabinet and the Prime Ministers of the Dominion Cabinets for the purpose of consultation upon matters relating to the war. Co-operation in the war makes consultation necessary. It has taken place. That is all that has happened. The Imperialists point to these meetings and say "Imperial War Cabinet." I take the liberty of telling them that, in doing so, they are reprehensibly endeavoring to mislead. Unfortunately, they are meeting with a certain degree of success

2. The official announcement as to the continuous representation in the "Imperial War Cabinet" is as follows:

It has also been decided that each Dominion shall have the right to nominate a visiting or a resident Minister in London to be a member of the Imperial War Cabinet at meetings other than those attended by the Prime Ministers. These meetings will be held at regular intervals. Arrangements will also be made for the representation of India at these meetings.

The decision is right, although the phraseology is wrong. While Canada is contributing in such large measure to the war, she not only should be given, but she should insist upon having, a chance of making her views heard. She ought, I think, to occupy a much better position than that. Periodical opportunities of making representations is the least that she could be expected to tolerate. Observe the "regular intervals." The nominees will attend once a week, or once a month, in order to learn what has been done in the meantime, and to express their views. After Mr. Lloyd George's experience of this summer, I feel certain that he will make the intervals as lengthy as he decently can. Some of the past attendants, he would, no doubt, like to dispense with

altogether. That he cannot do so, is because they are not members of his Cabinet.

3. Assumption has been made that, for the future, the official correspondence between the British and the Canadian Governments is to be carried on by the respective Premiers. That is not the case. The official announcement is as follows:

It has therefore been decided that for the future the Prime Ministers of the Dominions, as members of the Imperial War Cabinet, shall have the right to communicate on matters of Cabinet importance direct with the Prime Minister of the United Kingdom, whenever they see fit to do so.

Every state, like every company, has a secretary who attends to the correspondence with other states or companies. And if two companies should arrange that their presidents might communicate with each other, nobody would imagine that "an important advance," or any "advance," or any alteration had been made in the relations of the companies. Canada has two officials through whom she communicates with other countries: the Secretary of State for Foreign Affairs, and the Governor General. One of them attends to the correspondence with alien countries, and the other to the correspondence with the United Kingdom. They will continue to discharge these duties. Something of an advance in Canadian status took place (many years ago) when we commenced dealing directly with the United States; for that implied our recognition as a political entity by a foreign state. But nobody noticed the change. Nobody made a fuss about it. That our Premier may, if he wishes, write letters to the man with whom he has repeatedly been in oral communication, with reference to matters about which they have been consulting together, is a trivial enough affair. To refer to it as an "advance," or as a change in constitutional relations, is to mistake its import and consequence. I may add that if the Premiers have not, in the past, communicated with one another (I have little doubt that they have), and if they were of opinion that authority for the purpose was necessary, the so-called "Imperial War Council" could not have bestowed it. The British Cabinet could give to its own Premier any authority it pleased, and it is the Canadian Cabinet, and no other, that could give authority to the Canadian Premier. If Sir Robert has sanctioned the assumption of that power by the "Imperial War Cabinet," there has been what he may call an "important advance in constitutional relations," but what ought, more appropriately, to be denominated a retrogression to long past dates.

Although no change in constitutional relations has, as yet, taken place; although no breach has, as yet, been made in our power of self-government; although nothing has happened, except the dishonest creation of an imperialistic atmosphere fatal to freedom, and the establishment of imperial bureaux (of comparatively minor importance), the imperialists have in contemplation an innovation of the most vital and momentous character, and if Canadians do not intervene very quickly and resolutely, they will find that their facultative power of participating, or of not participating, in all future wars—everywhere and for every purpose—has been filched from them.

That the Canadian Premier should consult with the British Government during the war with reference to the war is, as has been said, both right and indispensable. But we are told that the meetings are to be continued after the war has terminated. For what purpose? What is the idea?

The imperialists see very clearly what they want. They are satisfied with Canada's action in relation to the present war, but they are not perfectly sure that, upon some subsequent occasion, we may not act otherwise. And they are determined to get such control of us as will make our abstention impossible. Some of the less discreet frankly so say—Mr. Lash, for instance (Quotations may be seen in vol. 2 of the *Kingdom Papers*, pp. 272, 273). "I want to make such a contingency impossible," said a very good Englishman. I am not afraid of Mr. Curtis and his Imperial Federation scheme, nor of Mr. Lash and his proposed Council. These men were honest enough to put clearly before us the objects they had in view. And their honesty made their success impossible. I *am* afraid, however, of the operation of what I have styled (in my *Kingdom Papers*) "the Milner method," for it is not only cleverly insidious, but unscrupulously dishonest. Canadians are being told that their powers are being increased, and that their aspirations for nationhood are being gratified, whereas, in reality, we are being wheedled into a web of arrangements in which our self-control will disappear. Ask Canadians frankly, as Mr. Curtis did, to exchange their liberty for a few votes in an imperial federation, and you will get a prompt and decided refusal. Ask them, as Mr. Lash did, to merge their authority in that of an Imperial Council in which their power would be lost, and the reply will be equally clear and decisive. The imperialists have learned that much. And so, by way of flank attack, the more cunning of them, while asserting that we ought to retain all our powers—indeed, that we ought to be permitted to add to

them—are really proposing that we should be brought under such influences, and be engulfed in such embarrassments, that our action would necessarily conform to their wishes.

The method employed for the accomplishment of this purpose is well known to diplomacy; and no statesmen in the world have practised it more frequently, or with greater success, than the British. I have devoted a few pages to an exposition of it in the last of my *Kingdom Papers*. In the present instance, it consists chiefly in continuing after the war, the meetings between the British Cabinet and the Dominion Premiers. On the surface, that appears to be a concession to Dominion aspirations. Therein lie its cleverness and its danger. Consider a few points:

We are told that all questions of foreign policy will be fully discussed with the Dominion Premiers. But we are not told that their assent will be required. It will not. If the British Cabinet think one way and the Premiers another, what will be done? Suppose, upon such a vital question as the first of the Japanese treaties (under which Canada might have had to go to war with the United States), our Premier protests and refuses to agree, what will happen? Any member of the British Cabinet who wishes to rid himself of responsibility for erroneous decision can resign. Our Premier could not. He would be there *ex-officio*, and would remain to protest. But, nevertheless, to be bound.

And what a pretty pickle he would be in if he had to face his own Parliament. The British Parliament, we may imagine, has debated the subject, and the Ministers have been sustained; and, now, our Premier is confronted with a motion of condemnation. Members of a cabinet must, of course, defend the action of the cabinet. Will our Premier regard himself as a member of the British Cabinet, and stultify himself? Or, taking the true position, that he is a member of no cabinet except the Canadian, will he defend himself and stultify the British Cabinet?

There is, too, no reason for assuming that the Dominion Premiers will be able to exercise any effective influence upon British foreign policy. The traditional methods of the British Foreign Office make that in the last degree improbable. Not merely is a cabinet unable to exercise supervision over the tone of the correspondence (upon which so much depends), but decisions are constantly arrived at without submission to the cabinet at all. Neither the Queen nor the Prime Minister could keep Lord Palmerston from sending despatches of the most important character. Mr. Lloyd George startled the world with a

challenge to Germany in a speech delivered at a Mansion House dinner in July, 1911—a speech that no one, except Sir Edward Grey and the Prime Minister, had any reason to anticipate. If you inquire as to the first act of co-operation between the United Kingdom and France by way of preparation for possible war with Germany—namely, the agreement upon naval and military schemes of action—you will find it in the arrangement which Sir Edward Grey made in 1906, without consulting more than three members of his Cabinet. And although that gentleman told the House of Commons, on the 3rd of August, 1914, that “it was free to decide what the British attitude would be,” as to entering upon war, Mr. Lloyd George, on August 7, 1918, declared in the same place, that we went to war because “we had a compact with France that if she were wantonly attacked, the United Kingdom would go to her support.” Correcting himself on the same day, Mr. George said that “in my judgment, it was an obligation of honor.”

The impossibility of our Premier exercising any effective influence over questions of British foreign policy by occasional attendances at the meetings of the British Cabinet, is not only indisputable, but is the very reason why the British public might view those attendances with equanimity. All that would be necessary to bring the meetings to sudden termination would be a suspicion that the Ministry was being swayed by its visitors. Let the British public believe that the reason for the Dominion Premiers being there is that they may not be able afterwards to refuse military assistance, and the practice will be acclaimed. But should, at any time, an alteration of the British attitude towards Japan for example, be attributed, rightly or wrongly, to the representations of Canada and Australasia—Whew!

October, 1918.

Laurier and the Kingdom of Canada.

It is very remarkable that, in the many columns and pages eulogistic of Sir Wilfrid Laurier, hardly the slightest reference is made to the work for which Canada ought to hold him in most grateful remembrance—I mean his splendid defence of Canada’s self-government as against the imperialistic efforts of Mr. Chamberlain.

Recognizing that the British army was wholly unable to compete with the huge European aggregations, Mr. Chamberlain sought to get control of the supplies, in both men and money, which the Dominions could afford him. His difficulty was, of course, as he himself stated:

How are we to bring these separate interests together, these states which

have accepted one Crown and one flag, and which in all else are absolutely independent one of the other?

Recognizing that commercial unity usually led to political, Mr. Chamberlain at first proposed that all of the King's Dominions should as between themselves adopt the principles of free trade. Having met with a unanimous No, he proposed that the Dominions should cease making additions to their manufactures, that he should say to them, "There are many things which you do not now make, many things for which we have a great capacity of production—leave them to us as you have left them hitherto."

This proposal also met with unanimous condemnation.

Unable to make any progress along the commercial line, Mr. Chamberlain proceeded to attack directly the political situation. He proposed

to create a new government for the British Empire—a new government with large powers of taxation and legislation over countries separated by thousands of miles, in conditions as various as those which prevail in our several dependencies and colonies; and said that he hoped to approach this desirable consummation by a process of gradual development.

He argued that Canada and the others should be bound to the United Kingdom even "as Yorkshire and Lancashire are bound to Middlesex and Surrey." On another occasion he proposed proceeding to his end—namely, "a new government for the British Empire"—by indirect rather than direct method. He said:

that it might be feasible to create a great Council of the Empire to which the colonies would send representative plenipotentiaries. . . . If such a Council were to be created, it would at once assume an immense importance, and it is perfectly evident that it might develop into something greater.

Then, through his successor (Mr. Lyttleton), Mr. Chamberlain proposed that if his "great Council" were not to be set up at once, at least the name of "Colonial Conference" should be changed to "Imperial Council". He imagined that by giving the Conference the name of "Council," it might gradually take on the functions of such a body.

At the Conference of 1902, attacking the military side directly, he proposed that the Dominions should

give some assurance as to the strength of the contingents which they should be able to place at the disposal of His Majesty's Government for extra-colonial service in a war with a European power.

That not being acceptable, he proposed that, at all events, certain regiments should be embodied for the purpose of foreign service in case of a desire that a force should be sent overseas. He also proposed the establishment of an "Imperial Court of Appeal", and summoned a

special Colonial Conference for the purpose of having his proposal approved by the Dominion Premiers. In addition to all this, Mr. Chamberlain insisted upon cash contributions to the British navy.

Repeated objection to all such proposals was, of course, very difficult. The Premiers of the other Dominions were not equal to the task. Sir Wilfrid alone presented impregnable defence behind the barricade of "self-government for Canada". It is extremely improbable that had any other man than Sir Wilfrid been subjected to the pressure, social as well as political, Canada would have come through the ordeal unscathed.

Sir Wilfrid's greatest predecessor, Sir John A. Macdonald, was also a splendid Canadian. How true he was, we did not understand until after his death, when one of his biographers revealed the fact that at the time of Canada's federation Sir John endeavored to elevate her to the status of a kingdom. Sir Wilfrid's aspiration for Canada was the same, but that fact had not, prior to his death, been made sufficiently apparent. Neither of the Premiers thought discussion of the subject upon the platform to be advantageous or advisable, but both have left documentary evidence of their faith. In 1906, I sent to Sir Wilfrid a copy of my inaugural address* as the first President of the Winnipeg Canadian Club—an address in which I stated fully my desire that Canada should be a nation, in the true sense of that term, self-existent, autonomous, sovereign, and capable of maintaining relations with all other governments—a nation with the British King as its only and all-sufficient head.

In reply, Sir Wilfrid sent me the following letter:

Sept. 14, 1906.

My dear Mr. Ewart,—

I owe you thanks for a copy of your address to the "Canadian Club of Winnipeg."

I read it twice with great care last evening. It seems to me admirably conceived as well as expressed. You have taken what seems to me the true line in the complicated problem with which you have dealt.

Believe me as ever, dear Mr. Ewart,

Yours very sincerely,

WILFRID LAURIER.

Afterwards (in 1908), I sent to him my book, *The Kingdom of Canada*, containing my essays and addresses up to that date, and, in reply, I received from him the following letter:

[*The address may be seen at pp. 73-98 of my book, *The Kingdom of Canada*.]

Ottawa, June 17, 1908.

Dear Mr. Ewart,—

Accept my sincere thanks for a copy of your book just received. With most of the essays in it, I was familiar, but it will be both interesting and pleasing to have them at hand in a bound volume.

Need I tell you how gratifying it is to me that my views are so much akin to your own.

Yours very sincerely,

WILFRID LAURIER.

Of Sir John A. Macdonald, one of the men who knew him best, Sir John Thompson, said:

Sir John's love for Canada and his desire to serve her must be put far in front of all his characteristics. His daily thought might be expressed in Webster's words: "Let our one object be our country, our whole country, and nothing but our country." "Nothing but our country" in the sense that Canada was to be first of all, in every consideration of public policy or personal action. His true and deep Canadianism was the "pillar of cloud by day, and the pillar of fire by night," to the hundreds of thousands whom he led as no man could have led by a mere party banner.

The same language might fittingly be applied to Sir Wilfrid, and it has been a matter of the greatest encouragement to me in the propaganda which I carried on previous to the war that, although apparently in a very small minority, I numbered, among those who thought with me, the two greatest men that Canada has produced.

March, 1919.

Ought Canada to be Grateful?

To many Canadians the assertion of Canadian sovereignty—that is, independence—would appear to be base ingratitude, and any proposal that tended in that direction would be little short of treason. These people say: (1) Was it not by blood and treasure that Canada became part of the Empire? (2) Has not the British navy always been her safeguard? (3) Did not British statesmen willingly concede every reasonable demand with reference to self-government? (4) What grievance is there that remains unredressed? (5) While Canada was weak, her security lay in her British connection; now that she is strong, will she desert? Canadians who speak in that way know nothing of the history of their country. For their enlightenment, I shall, in this and some succeeding articles, maintain the truth of the following assertions:

1. Great Britain fought for possession of colonies, not philanthropically, and not for the benefit of the populations of the various

places, but solely for her own benefit and advantage. Ought we to be grateful because we inhabit one of the countries so acquired?

2. No British sailor or soldier ever fought in support of any Canadian quarrel. Our quarrels led not to war, but to concessions of our rights. On the other hand, Canada has been involved in British wars in which she had no interest. Ought we to be grateful for that?

3. Every political concession, down to the date of the rebellions, was conceded with reluctance, and only as the result of contention and struggle. After 1837-38, and still more after the adoption of free trade had eliminated the reason for interference (self-interest), the Colonial Office became more reasonable. To Sir John A. Macdonald, Sir Alexander Galt, Mr. Edward Blake, Sir Charles Tupper, and Messrs. Fielding and Brodeur are we indebted for advances subsequent to that period. Ought we to be grateful for exacted concessions?

4. The principal grievance that remains is that self-government is still incomplete—that we have no control over our war and peace relations with other nations. Ought we to be grateful for that?

5. To desert means to refuse to perform some obligation. Canada owes no duty. She has been a source of profit and advantage to the United Kingdom. From the earliest period she has been regarded as a place to be made use of for British advantage merely. Ought we to be grateful for that?

I.—Acquisition of Canada.

Great Britain fought the other colony-hunting nations—Spain, Portugal, France, Holland—in turn, and took colonies from all of them. Why? Because they were sources of immense wealth. Philanthropic motives played no part in the world-rivalry. Listen to Secley (*The Expansion of England*, p. 31):

This fact, then, that, both in America and in Asia, France and England stood in direct competition for a prize of absolutely incalculable value, explains the fact that France and England fought a second Hundred Years' War.

The British Government proceeded to avail itself of its territorial additions. On 5th May, 1763, immediately after the peace, Lord Egremont, one of the Secretaries of State, wrote to the Lords of Trade requiring them to report:

By what regulations, the most extensive commercial advantages may be derived from these cessions, and

How those advantages may be rendered most permanent and secure to His Majesty's trading subjects.

They were also to report

with regard to the most effectual means for improving and securing the commercial advantages which may be derived from the conquered islands and from Senegal.

In reply the Lords of Trade reported (8 June, 1763) as follows:

The most obvious advantages arising from the cessions made by the Definitive Treaty are: the exclusive fishery of the River St. Lawrence, on all the coasts in the Gulf of St. Lawrence and all the islands in that Gulf.

The next obvious benefit acquired by the cessions made to your Majesty is the fur and skin trade of all the Indians in North America.

Another advantage attending the late treaty is the secure settling of the whole coast of North America, as its produce may invite, or convenience for settlement may offer.

Another great advantage of the late treaty producing strength to your Kingdom and riches to your subjects is the future supply which the new acquisitions will afford of naval stores, more particularly that of masting for the royal navy, and of that species of timber and wood commonly called lumber.

In the Province of Georgia and the neighboring Florida, commercial advantages of a still more valuable nature will probably follow the secure extension of settlement. . . . For there can be no doubt that indigo, silk, cotton and many of the commodities now found in the West Indies only may be raised in these climates.

A capital advantage, highly deserving your Majesty's attention, is the increase of the trade of sugar, coffee, cotton and other Indian products by the speedy settlement and culture of the new acquired islands.

The last advantageous consequence arising from the cessions which we shall now lay before your Majesty is that of securing the whole gum trade of the coast of Africa from a monopoly in the hands of the French by means of the River Senegal, as well as the acquisition of a considerable share of the slave trade formerly in their hands, with a variety of other articles which there is reason to believe may be obtained by the prosecution of further discoveries on that river.

Their lordships advised that the limits of Canada on the west and southwest should be a line from Lake Nipissing to the St. Lawrence at the 45th parallel of latitude. Why?

The advantages resulting from the restriction of the colony of Canada will be that of preventing by proper and natural boundaries, as well the ancient French inhabitants as others from removing and settling in remote places, where they neither could be so conveniently made amenable to the jurisdiction of any colony nor made subservient to the interest of the trade and commerce of the Kingdom by an easy communication with, and vicinity to the great River St. Lawrence. (Italics now added.)

In addition to all these special advantages derivable from the acquisition of the new colonies—fish, furs, lumber, indigo, silk, etc.—Great Britain acquired the monopoly of the trade and commerce of all the added colonies which her legislation gave to her in all British territory.

If we hold that Canada ought to be grateful for the British wealth-aggrandizement of 1763, upon which of our citizens does the obligation rest? If we say on the French who were defeated by Wolfe and Amherst, we should remember that they are all dead, and may now possibly be suffering the penalty of the ingratitude in which they died. If, on the contrary, we say that living Canadians ought to be grateful for British acquisitions of a century and half ago, we should remember that the ancestors of most of us arrived after the event; that by so doing, they lost their share in self-government of the places they left, and came under the control of British Ministers and Governors whose policies were actuated by consideration of British interests only.

Which of us ought to be grateful? And for what?

II.—Military Defence and Diplomacies.

Readers of the previous article will probably agree that Canadians are under no obligation of gratitude because of British success in the scramble for colonies in the middle of the eighteenth century. We are now to inquire whether, because of military defence of our country, any gratitude is due.

Observe that no British soldier or sailor ever fought in a Canadian war; and that, on the other hand, Canada has on several occasions been engaged in British wars—wars either foolish or imperialistic—namely, the American War, the Sudan War, and the Transvaal War. Remember, too, that the thanks which Canada received for her assistance during the American War of Independence was the transfer to her enemy of part of her territory, namely, that immense area now embraced within the States of Ohio, Indiana, Illinois, Michigan, Wisconsin, and half of Minnesota, together with the whole of Lake Michigan and one-half of all the other lakes (with the exception of Ontario) and the right to take fish in all Canadian ocean waters, and the use of much of the shore for drying and curing the fish.

In reply to the suggestion that *the existence* of British military forces (to which Canada made no contribution) afforded Canada protection, there are many replies.

First. Set off against *the existence* of British forces the *active*

engagement of Canadian forces, as above mentioned, and see which side is at credit.

Second. If Canada has been indebted for her security to the existence of British forces, to what are all the little republics of our hemisphere indebted for their freedom from attack? The United Kingdom is the only Power which ever attempted the subjugation of one of the South American nations. She was beaten (twice), and afterwards warned all the other Powers to refrain from similar efforts. What George Canning meant when he said that he had called the New World into being to redress the balance of the Old was that Great Britain having lost her colonies in America, no other Power was to be permitted to acquire other territory there. President Monroe made similar declaration. And thus if Canada had been a Spanish instead of a British colony, the existence of British forces, plus the existence of American, would have produced the same immunity for us as was enjoyed by American republics. Ought they and we to be grateful for this phase of European rivalry?

Third. If I should shut ostriches within a fence and "protect" them from their enemies, in order that I might make money by plucking their feathers, would the ostriches owe me anything? No. And if, besides confining them, I treated them harshly, would their case call for pæns of gratitude? No. Well, that is a very fair parallel to the relations between the United Kingdom and Canada down to the 1840's, for Mr. Chamberlain has very truly said (*Foreign and Colonial Speeches*, p. 242):

The colonies were regarded not only by us, but by every European Power that possessed them, as possessions *valuable in proportion to the pecuniary advantage which they brought to the mother country*, which, under that order of ideas, was not truly a mother at all, but appeared rather in the light of a GRASPING AND ABSENTEE LANDLORD DESIRING TO TAKE FROM THE TENANTS THE UTMOST RENTS HE COULD REACH. The colonies were valued and maintained because it was thought that they would be A SOURCE OF PROFIT—OF DIRECT PROFIT—TO THE MOTHER COUNTRY.

And Earl Grey (Colonial Secretary, 1846-52) said (*The Commercial Policy of the British Colonies*, p. 13):

In the earliest days of the establishment of British colonies it was held that the main advantage to be derived from possessing them consisted in the trade we could carry on with them, and that to secure this advantage it was necessary to *make them conform to the policy of the mother country in all that relates to trade*. They were accordingly required to submit for its benefit to

severe restrictions on their trade with the rest of the world, which were a *great obstacle to their individual prosperity*.

Like the ostriches, Canada was surrounded by a fence which prevented her intercourse with the outside world. We were "protected" in order that money might be made by plucking our feathers. And it is now said that, for such treatment, we owe a heavy debt of gratitude.

British Diplomacy.—I do not join in the general condemnation of the United Kingdom for all the diplomatic surrenders which she made to the United States in order to hush up our disputes with our neighbors. Diplomacy is good or bad as it subserves your own purposes. The United Kingdom has never had any interest in Canada except in connection with its trade (and, more recently, military) benefits. Enjoyment of those has never depended, materially, upon whether the boundary was in one place or in another not far away; upon whether United States fisherman came into our bays, or were kept outside of them; upon whether our just claims against the United States (say, in connection with the Fenian raids) were satisfied, or were abandoned; upon whether the St. Lawrence was a Canadian or an open river; upon whether our sealing vessels had a right to take seals in the open ocean, or might be captured by United States cruisers.

Such questions have always been of very insignificant importance to the United Kingdom, compared with the maintenance of cordial relations with the United States; and it is, therefore, foolish to charge British diplomacy with either stupidity or dereliction of duty because it relinquished the immaterial in order to maintain the essential. Nations have constantly to make concessions for the sake of possible future support, and the United Kingdom has but pursued the customary course when she has conceded, from time to time, territory and advantages which were of value to Canada, but of no value to herself, in order that she might enjoy the benefit of good relations with the United States.

I make no objection to such action. It is perfectly natural. Canada would make easy concessions in connection with Sierra Leone, for the sake of harmony in North America. But when I know, and everybody knows, that British diplomacy *has* pursued this natural and highly self-regarding course—that, in order to maintain comfortable relations with the United States, the United Kingdom has been indifferent to Canadian interests—I do object to being told that she has defended us, and protected us, and surrounded us with kindly offices.

Can anyone contradict the following statement of Sir Charles Tupper (House of Commons, 22nd February, 1899):

I now come to a very important question, and that is the reluctance on the part of Her Majesty's Government to do that with the United States that they would do with any other country in the world. I speak from intimate knowledge, and from my personal acquaintance and official association with both the great governing parties in England—because there were many changes of government while I held the position of High Commissioner, and I was necessarily thrown, in relation to these matters, into intimate association with both—when I say that from 1868, when I had occasion to deal with an important question relating to Canadian interests with Her Majesty's Government, down to the present hour, I have been struck very forcibly with the unwillingness on the part of Her Majesty's Government to allow any circumstances whatever even to threaten a collision with the United States.

Sir Charles was not mistaken. If anyone doubts that harmonious relations with the United States has been a dominating factor in British diplomacy, let him read Mr. Chamberlain's speech at Birmingham (January, 1897), in which he said that the preservation of those relations was, for the British people, "something more than a desire; it is almost a religion."

Very clearly, then, neither military nor diplomacy considerations impose upon us any obligation of gratitude.

III.—Growth of Self-Government.

To the assertion that the British Government willingly conceded every reasonable demand for self-government, I reply that every political concession, down to the date of the rebellions, was conceded with reluctance, and only as a result of contention and struggle. After 1837-8, and still more after the adoption of free trade, the Colonial Office became more reasonable with reference to matters in which it had ceased to be interested. As to other matters (for instance, merchant shipping and copyright), the old dominating spirit continued as before.

The American declaration of independence had made clear to British statesmen that, from their point of view, their methods had been lamentably defective. And the lesson, as they read it, was that such changes ought to be introduced as would make impossible a similar *dénouement* in the remaining colonies. With anxious solicitude, therefore, they studied what they called the "defects" in their previous practice, and the "remedies" which ought to be applied.

American independence was acknowledged by the Treaty of 1782, and on 20th October, 1789, Lord Grenville, the Colonial Secretary,

sent to Lord Dorchester, Governor at Quebec, the draft of a constitution for Canada (passed in 1791), and also

a paper containing the heads of those suggestions on which the present measures are founded.

In this paper may be read the proof of what I have said. It is a most valuable and interesting document. Let us look at it.

The concession of a popularly elected Legislative Assembly in each of the two new Provinces of Upper and Lower Canada was proposed only because it could not be avoided; and the paper declared that the subject for consideration was (*Italics now added*)—

by what means, the connection and dependence of Canada, on this country may be so preserved and cultivated, as to be rendered *most beneficial to Great Britain during its continuance, and most permanent in its duration.*

In this view a doubt may naturally suggest itself, both from an opinion, which seems to be pretty generally received, and from an observation of the late events in America, whether the degree of freedom, which the measure now proposed would give to the Canadians, is not inconsistent with the existence of a dependent Government.

It may, perhaps, be justly doubted *whether any form of administration* which could now be established, *would prevent the separation* of so great and distant a Dominion, after it should have arrived at a certain point of extension and improvement.

But the real question now to be decided is, what system is best calculated to *remove this event to a distant period* and to render this connection, in the interval, *advantageous to the Mother Country without oppression or injury to the colony?*

The establishment of a separate and local legislature in a distant Province, under any form or model which can be adopted for the purpose, leads so evidently to habitual notions of a distinct interest, and to the existence of a virtual independence as to many of the most important points of government, that *it seems naturally to prepare the way for an entire separation*, whenever other circumstances shall bring it forward. If, therefore, the subject were entirely new, and if the preservation of the dependence of a colony on its Mother Country were the only object to be considered, it should seem that this would best be attained by reserving at home the whole right and exercise of the power of legislation; and that this system, though certainly less adapted to promote the prosperity of the Province, would probably be effectual to maintain for a very considerable time the union of the Empire.

Assemblies being regarded as unavoidable, it became very material to examine the constitution of our former colonies with a view to this question, in order that we may profit by our experience there, and avoid, if possible, in the Government of Canada, *those defects which hastened the independence of our antient possessions in America.*

One of the "defects" was that—

the situation of those countries removed them from the seat and residence of

the royal authority. Whatever effect arises here from the immediate presence of the sovereign, or from the influence of his court, was, therefore, necessarily lost, at so great a distance from the Mother Country.

Partial remedy for this was to be found in the appointment of some highly-titled person as Governor-in-Chief of all the Canadian Provinces, and so Guy Carleton was made Lord Dorchester and was given general jurisdiction.

The consolidating the different Governments, in the remaining colonies, under one person, it was said, must operate to give weight and dignity to the representation of the executive authority.

A second "defect" was—

that in the formation of those Governments, while full scope and vigor were given to the principles of Democracy by the establishment of a popular representation, in their Houses of Assembly, no care was taken to preserve *a due mixture of the monarchial and aristocratical parts* of the British Constitution.

Remedy for this was to be found in the creation of a colonial aristocracy.

To the want of an intermediate Power, *to operate as a check*, both on the misconduct of Governors and *on the democratical spirit* which prevailed in the Assemblies, the defection of the American Provinces may perhaps be more justly ascribed than to any other general cause which can be assigned. And there seems to be no one point of more consequence in this view than *the laboring to establish*, in the remaining Provinces, *a respectable aristocracy, as a support, a safeguard to the monarchy*, removed, as it is, at so great a distance, and on that account so much less powerful in its weight and influence upon the people at large.

For these reasons it was determined to confer—

on the persons who may be called to the Upper House of the Legislature, some personal or hereditary distinction of honor and nobility.

A third "defect" was that the Governors of the colonies had little influence, owing to—

the limited extent of their authority, the dependence in which they frequently found themselves on the colonies even for their own support and maintenance, the little consequence annexed to their station; and sometimes the character and rank of the persons sent there.

Coupled with this was the fact that the American Governors always had difficulty with Assemblies over the annual supply bills. The remedy proposed was to adopt (although somewhat late) the plan devised by Penn in Pennsylvania—

who, by reserving to himself, and to his heirs, a certain portion of land, situated in the middle of every grant made to individuals, secured a property

which which could not but increase in value in proportion to the increase of the colony itself.

In this way it was hoped that sufficient revenue could be obtained without appealing to the Assemblies.

Perhaps it is not too late even now, it was said, for the adoption of such a system.

A fourth defect was that—

the rewards of the Crown were few, they were such as conferred little distinction, and they were, perhaps, sometimes bestowed with a very small degree of the attention to the principle which has here been stated.

The remedy would naturally have been the transference of the patronage of the service from the Colonial Secretary in London to the Governors in the colonies. But, just as naturally, that was not proposed. The Colonial Office continued its practice of sending out men who had influence, rather than those who had the requisite qualifications.

The Colonial Office accompanied these suggestions with the hope—that they would afford a juster, and more effectual security against the growth of a republican or independent spirit, than any which could be derived from a Government more arbitrary in its form or principles.

It is somewhat curious that the paper made no reference to the introduction into the colonies of the Anglican Church as a State institution; for we know that the Colonial Office realized the great importance, from an imperial point of view, of its establishment. Simcoe, the first Governor of Upper Canada, expressed the official view when he said that—

every establishment of Church and State that upholds a distinction of ranks, and lessens the undue weight of democratic influence must be indispensably introduced.

The spirit in which the Government of Canada was inaugurated may be understood from what has above been said. To prove that that spirit continued as long as British interests required its continuation, would be to recount minutely the political history of Canada. That of course would be impracticable in this paper. But I challenge anyone to instance any concession, prior to 1846, which was not the result of pressure and contention. Relaxation after 1846 was due entirely to the fact that the adoption of free trade had eliminated from British interests almost all the subjects on which Canada desired to legislate.

And now the question is: Whether, because of such spirit and such conduct, Canada owes a debt of gratitude to the United Kingdom?

IV.—What is Canada's Grievance?

The last of these papers dealt with the political concessions which had been made from time to time by the British Government in favor of Canada. And we are now to answer the question, "What grievance is there that remains unredressed?" The comprehensive reply is that we are still a *colony*—in the sense that we have no control over the supreme matter of peace and war. And we have recently had such object lessons in the effect of subordination in this respect that no one in Canada can fail to recognize the danger of our situation. I ask my readers to follow me while I make reference to some incidents connected with the war.

We were brought into the war without our concurrence, either in the diplomacies which preceded it, or the final declaration of it. As Professor A. Berriedale Keith has said, the Parliamentary White Book, Cd. 7607,

shows that the Dominions were not kept informed during the weeks preceding the war, and that no effort was made to secure their reasoned assent. (Jour. of Comp. Leg., N.S. xl., April, 1918).

Recently Mr. Fielding made reply to that statement by saying: The people of Canada had about as much knowledge of recent diplomacy as the people of the mother country.

But that is not the point. The British Government knew all about the diplomacies. Our Government did not. And, secondly, when the electors of the United Kingdom were told of the diplomacies, they had power to punish the authors by dismissal from office. We could do nothing.

Among the diplomacies which preceded the war, and were material to the outbreak of it, were the fatal Japanese treaties of 1902 and 1905. The underlying object, on the part of the British Government, in allying itself with Japan, was the reduction of the power of Russia in the East. The alliance effected the result wished; but, while it effaced Russia, it added enormously to the position and strength of Germany in Europe. Becoming conscious of its blunder, the United Kingdom afterwards did all it could to resuscitate Russia, and finally entered into war-understanding with that great Power. Too late. The damage had been done. Russia had received her death thrust, and she was unable to maintain her position in the present European war. The Japanese alliance was one that no Canadian statesman would, or at least ought

to, have agreed to; for, according to its terms, Canada might at any time have been plunged into war with the United States, in defence of Japanese territorial interests. Ever since we have remained subject to that possibility. Ought we to be grateful for that?

Whether or not war should be declared, was submitted to the British Parliament, but was not submitted to ours. The representatives of the people of the British Isles evinced their opinion in favor of war, while representatives of the Canadian people were supposed to have no right to say anything about it. Ought we to be grateful for that?

During the progress of the war, a number of secret treaties were entered into between the United Kingdom and other countries—with Russia, with Italy, with Japan; and the last of these was distinctly inimical to the interests of our sister Dominion, Australia. But our Premiers knew nothing of these treaties. The British Government is at the present time suffering embarrassment because of them. I do not say whether, in bargaining to place Slav and Greek populations under Italian control; in giving to Roumania territory inhabited by Ukrainians; and in taking to itself as a sphere of influence, the only part of Persia which, in the arrangements of 1907 with Russia, had been left to its own Government, the British Government was or was not acting properly. My point is that important treaties by which Canada is bound were made at a time when we were told that we were being consulted about everything, and that, nevertheless, we knew nothing of them.

Still more notable was the treatment accorded to the Dominion Premiers in connection with the peace terms which were offered to Germany. We had received many assurances that the Dominions would have "an equal voice with the United Kingdom in the settlement of peace." But the pledge was broken. At Versailles, on November 5, 1918, the Allied Governments made the following declaration:

The Allied Governments have given careful consideration to the correspondence which has passed between the President of the United States and the German Government. Subject to the qualifications which follow, *they declare their willingness to make terms with the Government of Germany on the terms of peace laid down in the President's address to Congress of January, 1918, and the principles of settlement enumerated in his subsequent addresses.*

After that declaration, there remained, as President Wilson said to Congress, only the "interpretation and application" of the specified terms. The Premier of Australia, Mr. W. M. Hughes, was in London when Mr. Lloyd George left for Versailles. Everybody understood

that the object of the conference was to arrange terms of an armistice. Mr. Hughes had no idea that terms of peace were to be discussed. No intimation to that effect was given him. Three days after the meeting, in an address to the Australasian Club in London, he entered vigorous protest at what had been done. He said:

In the settlement of the terms of peace the Dominions have not been consulted. They have been informed of those terms, as, indeed, has every other citizen throughout the Empire, but have had no share in shaping them. I am not going to say more on that point than to express regret that the Dominions have not had an opportunity of stating their views before the terms of peace were decided. It may be said that the Dominions will have an opportunity of expressing their opinions at the Peace Conference. It may be that this will be so. But it is perfectly clear that the deliberations of the delegates at the Peace Conference will be limited by the terms of peace already settled. Beyond this they cannot go. They can neither take from these nor add to them.

Mr. Hughes followed his speech by a letter in *The Times*, in which he said:

I have remained here at my Government's request for the purpose of setting forth its views—with which I need hardly say I agree—before any terms of peace were definitely settled. But no opportunity has been given me to do so. I was not even informed that the peace terms were being discussed at the Versailles Conference—which I had presumed was engaged in settling the terms of the armistice with Germany as it had done in the case of Austria. The first intimation I received that the terms of peace had been discussed at Versailles was conveyed in the document which notified me that they had been definitely settled.

Mr. Bonar Law, in the House of Commons, when asked whether the Dominions had been asked to attend the Conference, dodged the question by saying that all the Dominions could not have been represented, and when asked

Why was Mr. Hughes in this country not invited?

he replied,

I really do not think we can go into details.

The Times, commenting upon the incident, said:

The whole truth seems to be that at present the political system of the Empire is such that when quick decisions have to be taken, the Imperial Government is bound to assume the responsibility.

I trust that I have sufficiently indicated the grievances of which we have recently had to complain. And I ask whether there is in them anything which calls for an expression of our gratitude.

V.—Is Subordination a Duty?

The last of the imperialistic questions which I have undertaken to answer in these papers is frequently put in this form:—

While Canada was weak, her security lay in her British connection; now that she is strong, will she desert?

To desert means to refuse to perform some obligation—to violate some duty. And the question for consideration, therefore, is whether Canada is under any obligation to remain in a state of subordination to the United Kingdom. If not, there can be no desertion, and there can be no violation of duty in assuming the position of a sovereign state. Upon what consideration can the existence of such a duty be based?

1. The duty to remain subordinate cannot be based on natural law. If a community which has been held in subordination wishes to be free, no law of nature disputes its claim.

2. Duty of subordination cannot be based on contract. A contract by one individual to remain indefinitely subject to another is invalid. So also would be invalid a contract by one community of people to remain subordinate to another.

3. Duty of subordination cannot be based on moral obligations for example, gratitude for kindness. Moral considerations do not oblige to subjection, or to renunciation of freedom. Gratitude can find other and better methods of repayment. Moral obligation, for example, might constrain us, after our freedom was secured, to enter into alliance with our former metropolitan. It cannot require us to continue in a humiliating status.

4. Duty of subordination cannot arise out of the nature of the colonial relationship. There is nothing in that which demands an eternity of subordination, nor even its projection beyond the wishes of the parties.

As the last of these four statements may be questioned, it may be advisable, shortly, to indicate in this paper what the colonial relationship implies with reference to war-assistance on the part of the colonies. And, fortunately, there is no necessity for argument upon the point, for the position assumed by the United Kingdom has been stated officially and satisfactorily. For example, in a despatch from the Colonial Secretary (Sir George Grey) to the Governor General of Canada, 13th

April, 1855, there were the following sentences (*Italics now added*):—

Her Majesty's Government have long had under their consideration the necessity of establishing a clear understanding with the Government of Canada on the subject of the measures mutually to be taken for the military defence of the province, and the subsidiary arrangements requisite to that end.

Her Majesty's Government propose to make no change in the principle of the relations now subsisting between this country and the province, as regards its military defence. *The Imperial Government will remain charged, as before, with the supply and maintenance of military force, for the defence of Canada,* as of every other part of Her Majesty's dominions, in the event of its being menaced by foreign arms. They propose also to continue to maintain the force now existing in Canada, or whatever force may be strictly required for the military occupation of the few posts of first-class importance, so as to form a nucleus *for the defence of the province.*

For all beyond this, they propose to rely on the loyalty and military spirit of the province itself.

Again, at the Imperial Conference of 1902, a memorandum was presented by the War Office, in which was the following:—

Prior to the outbreak of the war in South Africa, so far as any general scheme for the defence of the Empire as a whole had been considered, it was assumed that *the military responsibilities of our great self-governing colonies were limited to local defence,* and that the entire burden of furnishing reinforcements to any portion of the Empire against which a hostile attack in force might be directed *must fall on the regular army.* There may possibly have been some pious hope that in time of need the colonies might rally to the mother country, but no definite arrangements were made, nor were inquiries even on foot as to whether such aid might be expected, and if so, in what strength. Indeed, the necessity for it was by no means realized and its reliability was doubted.

The colonial relationship imposed upon the colony no military responsibility beyond contribution to its own defence. The metropolitan, on the other hand, was bound to aid in colonial defence for the reason assigned in the Hamilton-Godley military report of 24th January, 1880:—

Thirdly, we dissent from the argument founded on joint interest. If England was considered bound to contribute towards the defence of her Colonies merely because she is interested in their defence, it might fairly be argued that the obligation is reciprocal, and that the Colonies, being deeply interested in the safety of England, ought to contribute systematically and habitually towards the defence of London and Portsmouth. But the ground on which we hold that England is bound to contribute towards the defence of her Colonies is, that *the Imperial Government has the control of peace and war, and is therefore in honor and duty called upon to assist them in providing against the consequences of its policy.*

Dealing with the possibility of colonial obligation arising out of our civil relationship to the United Kingdom, I showed in No. 3 of these articles that during the first period of Canadian colonial history (that is, down to 1837-8 and shortly after) the policy pursued by the British Government toward Canada was based upon consideration of by what means, the connection and dependence of Canada, on this country may be so preserved and cultivated, as to be render'd most beneficial to Great Britain during its continuance, and most permanent in its duration.

With the adoption of free trade, that attitude underwent complete change. Canada was thrown open, unreservedly, to the trade and shipping of all other countries, but not, in the least, out of any regard for our interests. Indeed, the change was pressed upon us with such inconsiderate haste as to produce very great financial distress, and, as the result of that, came the annexation manifesto of 1849.

During this second period of Canadian history, there was very little imperialism, because of the absence of imperialistic benefits. As Lord Cromer said in his book (*Ancient and Modern Imperialism*, p. 41):—

An imperial power is supposed to derive some benefits for itself from its imperialism;

and the benefits having ceased, British statesmen united with British people in saying to us, in the words of Tennyson:

So loyal is too costly! friends, your love
Is but a burden: break the bonds and go.

It was during this period, and in connection with our fisheries on the Atlantic coast, that Disraeli said:

These wretched colonies will all be independent too in a few years, and are a millstone round our necks.

Arthur Mills, in his book, *Colonial Constitutions*, (1856), said:

To ripen these communities to the earliest possible maturity—social, political and commercial—

To qualify them by all the appliances within a parent State, for present self-government, and eventual independence is now the universally admitted object and aim of our colonial policy.

And it was Mr. Gladstone who, during the American civil war, suggested:

If the North saw fit to let the South go, it might in time be indemnified by the union of Canada with the Northern States.

What may be called the third period in our colonial relationship commenced in the 1880's by another reversal of British policy toward us. By this time, Canada had added very considerably to her strength both from a commercial and a military point of view. Disraeli was the first of the statesmen to regret the previous attitude. He said that our self-government ought to have been accompanied by an imperial tariff; by provision for British enjoyment of our public lands; and by a military code which should have precisely defined the means, and the responsibilities by which the colonies should be defended, and by which, if necessary, this country should *call for aid from the colonies themselves*.

He declared that every opportunity should be taken for reconstructing as much as possible our Colonial Empire, and of responding to those distant sympathies which may become *the source of incalculable strength and happiness to this land*.

With this same pious object in view, various schemes have been proposed for the reconstruction of our relationship, in such a way as would bring us *into subjection from a military point of view*. We are subject to be thrown into war at any moment, in any part of the world, and for any purpose, whether it is in our interest or not; but the imperialists are not satisfied with that. They desire, as Disraeli desired, a military code which would enable the British people to call for aid from the colonies—from the source of incalculable strength and happiness to this land.

Ought Canada to be grateful for all that?

VI.—Canada's Growth from Colonialism.

If, as shown by No. 5 of these articles, we are under no legal duty to participate in British wars, ought we to do so as a matter of gratitude for—for what?

1. Ought we to be grateful (that is, ought we to continue forever, to furnish the United Kingdom with men and money for all her wars) because, in the course of the European scramble for colonies, she took Canada from France. Ought French Canadians (whom the British defeated then) to be willing, for that reason alone, one hundred and fifty years afterwards, to fight for them against Russia in Afghanistan? Ought all subsequent Canadian immigrants—English, Scotch, Irish, and others—to be willing, for that reason alone, to pledge their lives and their fortunes in support of foreign policies over which they have no control?

2. Ought we to be grateful for the stupidity which provoked the American war of independence and the consequent invasion of Canada? Ought, particularly, the United Empire Loyalists to be grateful for the war which cost them their homes? Colonel Geo. T. Denison has said:

Misunderstandings, negligence, ignorance, what Lord Charles Beresford describes as the "savage stupidity" of the British government of 1774-6 led to the loss by the Empire of the thirteen colonies.

3. Ought we to be grateful for the shameful surrender of Canadian territory to the United States at the close of the war of independence? Ought we to be grateful because territory which now forms the States of Ohio, Indiana, Illinois, Wisconsin, Michigan, and part of Minnesota was taken from the loyal colony of Canada (then Quebec) and handed over to the rebellious United States in order to placate them and secure their trade goodwill? The United Empire Loyalists wanted to remove to the west rather than to the Canadian north. Ought we to be grateful that Lord Shelburne gave the west away?

4. Ought we to be grateful because the rebellious colonies were given admission to the coast fisheries of the loyal colonies; and because the loyal fishermen were excluded from the shores of the rebel colonies?

5. Ought we to be grateful for the stupidities which led to the 1812 war?

6. Ought we to be grateful because, after the United States had forfeited its fishery rights by the war of 1812, a large part was re-granted for the reason (as Lord Bathurst put it) that the British Government felt

that the enjoyment of the liberties formerly used by the inhabitants of the United States may be very conducive to their national and individual prosperity.

7. Ought we to be grateful because, by the joint effect of the treaties of 1783 and 1818, all those parts of the States of Dakota and Minnesota watered by the Red River were taken from the Hudson's Bay Company, and handed over to the United States?

8. Ought we to be grateful because, by the joint effect of the treaties of 1783 and 1842, part of the State of Maine forms a wedge between New Brunswick and Quebec?

9. Ought we to be grateful that Lord Ashburton, the British Commissioner in 1842, was so anxious to make a compromise with the United States that when he became aware (after the compromise had been made) of some very strong evidence in our favor, he said of the treaty (7th February, 1843) in a letter to Mr. Croker,

If the secret had been known to me earlier, I could not have signed it.
Ainsi tout est pour le mieux dans le meilleur des mondes possibles?

He was glad that he was unaware of evidence in our favor, because if he had known it, he could have not given away what he believed to be our territory.

10. Ought we to be grateful because of the concession to the United States of almost the whole of the State of Washington?

11. Ought we to be grateful for Lord Alverstone?—Lord Alverstone who, as one of the British Commissioners on the Alaska Boundary arbitration, treacherously betrayed us, and gave to the United States territory that he knew belonged to us?

12. Ought we to be grateful because, throughout all our controversies with the United States, British diplomacy has been dominated (as Sir Charles Tupper has told us) by an unwillingness to allow any circumstance whatever even to threaten a collision with the United States?

—because, as Mr. Chamberlain has said, preservation of cordial relations with the United States has been something more than a desire; it is almost a religion?

—because of the answer to Mr. J. Castell Hopkins' question:—

What were territorial rights, or the future interests of Canadians, or the development of British power on the American continent in comparison with an undisturbed peace which might facilitate the sale of a few more bales of cotton goods, and promote immunity from increased responsibility, or a little more taxation?

13. Ought we to be grateful because of the voluntary admission of the United States fishermen to the Bay of Fundy, and the refusal to exclude them from all the other bays which were clearly ours?

14. Ought we to be grateful for the treaty of Washington (1871) against which Sir John A. Macdonald protested so vigorously—grateful for the work of British negotiators who, as Sir John said, had

only one thing in their minds—that is to go home to England with a treaty in their pockets settling everything, no matter at what cost to Canada?

15. Ought we to be grateful that when American cruisers were seizing, on the open ocean, without a shadow of right, our sealing schooners, the British Government first remained quiescent and indifferent, and then sent the British fleet to help the Americans?

16. Ought we to be grateful that, immediately after the acquisition of Canada, the inquiry of the British Privy Council was:

By what Regulations, the most extensive Commercial Advantages may be derived from these Cessions; and

How these Advantages may be rendered most permanent and secure to His Majesty's Trading Subjects?

17. Ought we to be grateful that when our first constitution was being settled, the prime subject for British consideration was:—
by what means the connection and dependence of Canada, on this Country may be so preserved and cultivated, as to be render'd most beneficial to Great Britain during its continuance, and most permanent in its duration?

18. Ought we to be grateful for the establishment of local legislatures when, in the opinion of the Colonial Office, such establishment had become inevitable, and was the only mode by which Great Britain could hope to be delivered from heavy expenses?

19. Ought we to be grateful for Colonial Office management of our Post Office, and the exaction of thousands of pounds per annum in extortionate charges?

20. Ought we to be grateful for the swarm of useless officials who had influence enough to get themselves imposed upon us? Ought we to be grateful for the system by which many of those people remained at home; performed or neglected their duties by deputy; and pocketed a share of the income? Ought we to be grateful for the system by which many of them were permitted to charge exorbitant and indefensible fees?

21. Ought we to be grateful for the methods employed by the Governors with respect to our lands—for its lavish distribution among those who wanted it, merely that they might make the rest of us pay them their price for it? Ought we to be grateful for the Canada Company?

22. Ought we to be grateful for the imposition upon us of a state-endowed Church?

23. Ought we to be grateful for the endeavors to establish an aristocracy; for the primogeniture laws; for the Lientenants of Counties; for the influences which produced the Family Compact?

24. Ought we to be grateful for the gubernatorial provocations which incited the rebellions of 1837-8? Ought we to be thankful for the Craigs, the Gosfords, the Francis Heads, the Metcalfes, and others? Col. Geo. T. Denison has said:

Mismanagement and the want of knowledge of Canadian affairs on the part of the Colonial Office brought on the dissatisfaction which culminated in the so-called rebellion of 1837.

Ought we to be grateful for that?

25. Ought we to be grateful for the commercial system by which, in the early days, we were kept hampered and stunted with laws which very largely (1) prevented us purchasing elsewhere than in the United Kingdom; (2) prevented us selling elsewhere than in the United Kingdom, and (3) prevented foreign ships entering our ports?

26. Ought we to be grateful because, when our trade-relations had been thus firmly fixed, they were suddenly and without the slightest regard for our interests, and in utter subversion of some of them, reversed? Ought we to be grateful for that which led to the only organized movement that has ever been in Canada for annexation to the United States?

27. Ought we to be grateful because, when (by the introduction of free trade ideas) our trade had been opened to all nations, and we had, therefore, ceased to be of any commercial value, we were told to "break the bonds and go"?

28. Ought we to be grateful because, now that our commercial value (through our grant of trade preference) and our military value have become matters of importance, we are adjured to tighten the bonds and stay?

To assert that the motives of the United Kingdom in her dealings with Canada have been philanthropic, is foolish. They were not. We may, indeed, be thankful that they were less sordidly rapacious than those of some other metropolitan countries; but they were almost necessarily and unavoidably selfish rather than altruistic. Count up what our connection with the United Kingdom has cost us—in wars and raids as well as in obstruction and retardation of our natural development—

and we might almost subscribe to the generalization of Sir Richard Cartwright that we owe her nothing but a great deal of Christian forgiveness.

But we owe her more than that. I believe that it is something to have had our parentage in the British Isles. The people there are far from perfect, but they have an aggregate of qualities that has given them, in many respects, the leadership of the world. We are grateful for such of those qualities as we may have retained. We are grateful for the maintenance, in the old land, of such of them as we have failed to continue. And we are grateful to our ancestors chiefly for their splendid struggle for self-government. Without that example and inspiration, those of us who have made Canada what it is might still be the "colonials" of those who stayed at home.

April-May, 1919.

Mr. Ewart and Mr. Castell Hopkins

THE EDITOR, *The Statesman*:

SIR:—In your issue of May 17th, there appears an article by Mr. J. S. Ewart, quoting various writers and utterances which apparently prove to his satisfaction, if not to your readers', that Canada has no cause to be grateful to its Motherland. In view of Mr. Ewart's well-known Separatist views, it would, perhaps, not be worth while for me to answer or criticize this particular article, were it not that he quotes from some unstated source.

The quotation is obviously taken from some context which would have given an entirely different point to the statement which I made. My views upon this subject are fairly well-known and have been held and publicly expressed for nearly thirty years past. It is only necessary for me to say here, that the quotation in question refers to the Manchester School of thought and denounces its exponents for holding views Mr. Ewart himself holds and expresses in Canada.

How Mr. Ewart could make such use of a quotation to prove his point, is beyond my comprehension. He is too clever a lawyer not to know what he is doing, and that such action can only injure any propaganda which he may be carrying on.

Yours faithfully,

J. CASTELL HOPKINS.

Toronto, May 21, 1919.

Mr. Ewart's Reply.

THE EDITOR, *The Statesman*:

SIR:—I have received a copy of a letter from Mr. Hopkins, to be inserted this week. Mr. Hopkins has evidently forgotten that he wrote one of the strongest indictments of British diplomacy with reference to Canada—of “British indifference to territory and of utter ignorance of American character, aggressiveness and ambitions”—that has yet appeared. Indeed, he goes farther in that respect than I have ever gone, or could be induced to go. In his book, *The Story of the Dominion*, Mr. Hopkins, after referring to two good points in the convention of 1818, said (the italics in all cases are mine):

At this point, however, the terms of the convention passed on to deal with boundary matters and a combination of *British indifference to territory, and of utter ignorance of American character, aggressiveness and ambitions marked every phase of the negotiations—as they continued for another half century.*

Mr. Hopkins refers to the clause of the convention which postponed the settlement of the Oregon boundary question for ten years leaving the territory open, meanwhile, to the people of both nations, and adds:

Such an extraordinary clause as the latter was, perhaps, never included in a treaty before The “settlement” simply postponed consideration of the matter until United States citizens should have time to pour into the country, and claim it by virtue of present colonization, if not by right of discovery, or early and temporary occupation.

After dealing with the treaty of 1825, Mr. Hopkins proceeds as follows:

In 1812 and 1816 came two arrangements with the United States which stamp the astuteness of American leaders and *the blunders of British statecraft in broad and vivid outline upon the map of Canada.*

Around and through them runs that thread of political thought which did so much in its day to diminish British power and to weaken British prestige—the policy of the Manchester school. What were territorial rights, or the future interests of Canadians, or the development of British power on the American continent in comparison with an undisturbed peace which might facilitate the sale of a few more bales of cotton goods and promote immunity from increased responsibility or a little fresh taxation. (page 624).

It is literal quotation of this last sentence to which Mr. Hopkins objects. Referring to American statesmen, Mr. Hopkins said:

They had a distinct, though not always direct, policy of expansion, and, that they followed this up at the expense of Canada and Great Britain, reflects credit upon their astuteness, and only *discredit upon the statecraft of England.*

Well-meant friendliness or conciliation, when not reciprocated, is simply weakness of the worst kind.

Referring to the Maine boundary negotiation, Mr. Hopkins said:

Three years later, Lord Ashburton and Daniel Webster were appointed Commissioners to settle the dispute. They were admirably fitted to duplicate the events of 1783 and 1818. The one was a good-natured believer in peace—at a high price if necessary—and was personally interested through his connection with the Barings, in American securities. This latter point might not have directly affected his action, because no one has ever disputed his personal sense of honor, but the fact of his being a member of the school of political thought which considered British external responsibilities as a burden, and colonial possessions as useless, is beyond question. *His appointment is, therefore, a standing disgrace to the Melbourne Government* . . . Webster, on the other hand, was a keen American statesman, with a shrewdness which bordered on unscrupulousness and without any hampering friendship for England or for British interests.

The result of such negotiations was inevitable. Out of the 12,000 square miles of disputed territory, 5,000 went to New Brunswick; 7,000 square miles of the most valuable portion went to Maine; the Dominion of the future was shut off from an Atlantic port; a wedge of American soil was pushed up into the heart of the Maritime Provinces; and Lord Ashburton returned to England with a treaty of renewed peace and amity.

Mr. Hopkins then dealt with the Oregon boundary controversy, and what he thinks of British diplomacy in that regard may be judged from his opening sentence:

That of Oregon was even worse for British and Canadian interests.

Mr. Hopkins appears to think that I quoted some "statement which I (he) made". I did not. I quoted a question which he formulated, and I quoted it accurately. Where he got material for the question is of no importance. But I may safely say that the quotations above made from Mr. Hopkins' book amply prove that I was doing no injustice to British diplomacy with reference to Canada when I asked whether we ought to be grateful for the answer which ought to be given to Mr. Hopkins' question. Indeed, I think that I can safely leave the reply in Mr. Hopkins' hands. Ought we?

JOHN S. EWART.

Mr. Hopkins' Rejoinder.

THE EDITOR, *The Statesman*:

Sir,—In your last issue Mr. Ewart admits that he took a passage in my *Story of the Dominion* away from its context and applied it in an altogether different connection. So much for my correction. But, in his reply and with all the skill of an expert controversialist, he brings

together other references in the same volume to the subject of British treaties and makes me adhere, apparently, to that ungrateful school of anti-British thought in which he shares leadership with Mr. Bourassa. A real historian tells the truth, whether it harmonizes with his own views or not, and I am sure that Mr. Ewart will credit me with fairness in that respect; many historians, however, tell the truth only as their prejudiced or warped minds can see it—which is altogether another story. No writer can deal honestly with the great subjects involved in the history of Canada and its relation with the United States and Great Britain without making comments which, taken from their context, will distort the facts of history and twist his opinions into a hopeless tangle.

The fact of the matter is that these relations have to be read and studied and regarded in the light of certain bases which my book made clear but to which Mr. Ewart does not refer: (1) That Great Britain in 1783 and 1812 was fighting for her existence and the liberties of Europe against a Militarist chief, beside whom Wilhelm II. was a figure-head, and a combination of nations which included the United States; (2) that the wilds of British America were as little known to her and of less real value to her in those days than was the wilderness of the North-West to Canada in the years prior to and surrounding its acquisition in 1869; (3) that the British people were not and never since have been an aggressive or warlike race and that with characteristic generosity their chief desire in 1783 and 1814 was to heal the breach with the United States and insure a prolonged period of peace and friendly interchange; (4) that in the succeeding century, and through all the incidents of United States aggressive action, there ran in the minds of British statesmen the knowledge that our tiny population spread along the St. Lawrence, the Great Lakes or the sea-coast would be the first, last and greatest sufferers by war and that the sacrifice of unsettled wilds which were comparatively useless in those days to either Britain or the Colonies was better than a serious risk of war; (5) that in the Maine and Oregon boundary issues American bluff and a fraudulent map in one case, with erroneous statements in the other, won out over the honorable traditions of British statecraft—but that this was not a British crime.

Let me add that if it had not been for British diplomacy and statecraft and, above all, for the power of the British Navy, there would be no Dominion of Canada at this time, no provinces of British America to deal with or unite, no great Canadian nation of the future

to stand beside the Motherland and appreciate her greatness of deed and policy as well as to understand the inevitable faults and mistakes of a century which Mr. Ewart regards with so powerful a magnifying glass.

J. CASTELL HOPKINS.

Toronto, May 30.

Mr. Ewart's Second Letter.

THE EDITOR, *The Statesman*:

SIR:—In reply to my last letter, Mr. Hopkins says:

A real historian tells the truth . . . and I am sure that Mr. Ewart will credit me with fairness in that respect.

In a previous sentence, Mr. Hopkins, with astonishing disregard of the truth, had said:

In your last issue Mr. Ewart admits that he took a passage in my *Story of the Dominion* away from its context and applied it in an altogether different connection.

In other words, Mr. Hopkins, after penning, to my discredit, as deliberate a falsehood as ever was placed on paper, wishes me to vouch for his veracity. I should like to oblige him, but I am afraid I cannot.

That apart, I suppose the issue between us is whether Canada ought to be grateful for the military protection afforded to her, in past times, by the United Kingdom. The true answer to that question I gave, in my last reply to Mr. Hopkins, in the shape of quotations from his own book—quotations of indictment of British indifference, ignorance, and absence of statecraft. Among his phrases were the following:

"A combination of British indifference to territory and of utter ignorance of American character"; "such an extraordinary clause . . . was perhaps never included in a treaty before;" "the blunders of British statecraft" are stamped "in broad and vivid outline upon the map of Canada;" "discredit upon the statecraft of England;" Ashburton's appointment was a "standing disgrace to the Melbourne Government"—"a wedge of American soil was pushed up into the heart of the Maritime Provinces;" the Oregon Treaty "was even worse for British and Canadian interests."

Having quoted these condemnations, I repeated my question, Ought Canada to be grateful for all that? In reply, Mr. Hopkins tells me that such matters ought to be studied

in the light of certain bases which my book made clear, but to which Mr. Ewart does not refer.

He specifies five bases. One of them relates to a period (1783-1812) in which nothing relevant happened. The second admits British igno-

rance of the value of what he calls "the wilds of British America." The third confesses that the "chief desire" of the British people in 1783 and 1814

was to heal the breach with the United States, and insure a prolonged period of peace and friendly interchange.

The fourth declares that, "in the minds of British statesmen," Canada would have been the chief sufferer by war, and that

the useless sacrifice of unsettled wilds which were comparatively useless in those days to either Britain or the colonies was much better than a serious risk of war.

The fifth complains that

in the Maine and Oregon boundary issues, American bluff and a fraudulent map in one case, with erroneous statements in the other, won out over the honourable traditions of British statecraft—but that this was not a British crime.

Those statements (although not all in his book, as Mr. Hopkins asserts) are very much in line with those which I previously quoted from it, and the additions encourage me to repeat my question, Ought Canada to be grateful for all that? To his assertion that but for British diplomacy, British statecraft, and the British navy, "there would be no Dominion of Canada," I reply with the questions: What bit of British diplomacy saved Canada? What piece of British statecraft saved Canada? What action of the British navy saved Canada? We know well what we have lost by British diplomacy and British statecraft. It appears, as Mr. Hopkins says, "in broad and vivid outline upon the map of Canada." Will he be good enough to refer us to a *per contra*? We know, too, what the British navy has done for us. In our history there have been but two occasions upon which the British navy would have been of service to us: first, in connection with the Newfoundland fisheries; and second, in connection with the seizures by the United States of our sealing ships in Behring Sea. On both occasions the British navy *took the side of our opponents*, although they were indisputably in the wrong. Here, too, I ask for a *per contra*. I crave, too, a reply to the question: How is it that the twenty little American republics contrived to keep themselves alive without the aid of either British diplomacy, or British statecraft, or the British navy?

Mr. Hopkins charges me with regarding British faults and mistakes with a "powerful magnifying glass." His assertion is untrue. On the contrary, first, Mr. Hopkins has exaggerated the Maine incident much beyond anything that I have ever said or could be induced to say about

it, for it is not correct. And second, in my article of *The Statesman* of 24th April last, I said as follows:

I do not join in the general condemnation of the United Kingdom for all the diplomatic surrenders which she made to the United States in order to hush up our disputes with our neighbors. . . Such questions have always been of very insignificant importance with the United Kingdom, compared with the maintenance of cordial relations with the United States, and it is, therefore, foolish to charge British diplomacy with either stupidity or dereliction of duty because it relinquished the immaterial in order to maintain the essential.

. . But when I know, and everybody knows that British diplomacy *has* pursued this natural and highly self-regarding course—that in order to maintain comfortable relations with the United States, the United Kingdom *has* been indifferent to Canadian interests—I do object to being told that she has defended us, and protected us, and surrounded us with kindly offices.

Once more, I ask: "What has occurred for which Canada ought to be grateful?"

JOHN S. EWART.

Equality Within the Empire

It is a serious, but easily substantiated charge against the leaders of the Imperialists that they recognize the impracticability of being reasonably honest in their advocacy. Well aware that if their projects are to succeed, Canada must be made to believe that her national aspirations are compatible with the persistence of present imperialisms, these gentlemen cleverly invent meaningless and ambiguous phrases which are well calculated to give that impression.

For example, when the Dominion Premiers entered upon a series of conferences with members of the British Government—conferences rendered necessary by co-operation in the war—the imperialists announced the formation of "The Imperial War Cabinet," a phrase which carried the clever, but quite unscrupulous implication of the accomplishment of closer imperial political union. But when Mr. Rowell introduced the phrase in parliament he was forced to take refuge in the statement: "But this is not a Cabinet like any other Cabinet." He might well have added, "and it has none of the characteristics of a Cabinet. In truth it is only a subterfuge." The Canadian imperialist who contributes to the *Round Table* admitted "that in no glossary of constitutional terms is the word 'Cabinet' defined as applicable to such an anomalous body."

These admissions are creditable, but they have not served to terminate the use of the discreditable phrase, which is still exploited for

the purpose for which it was created. Many Canadians continue to believe that there is, not merely in fraudulent name but in reality, such an institution as "The Imperial War Cabinet."

The imperialists have invented, also, a whole series of phrase-prevarications for the purpose of educating Canadians along the line of present imperializing projects: "Equality of status within the Empire", "A League of Nations each of equal status", "An Imperial Commonwealth", "Autonomous nations of an Imperial Commonwealth", etc., etc. The inventors of these phrases know perfectly well that each of them is either self-contradictory or inappropriate to the schemes which they have in mind. The language was intended to give Canadians the idea that if the imperialists had their way, subordination would cease, and Canada would rise to equality of status with the United Kingdom, whereas thousands of imperialists would rather die than witness the consummation of Canadian national aspirations.

"Equality of status within the Empire" is a plain contradiction in terms. There are only two ways in which Canada's political status can be made equal to that of the United Kingdom: First, by the formation of a Federal Union, such as the United States, in which the United Kingdom would be one State and Canada would be another, each with local jurisdiction, and each sending representatives to a Federal Parliament or Congress. Secondly, by Canada's declaration of independence. Having at last abandoned all hope of Imperial Federation, and being fiercely opposed to Canadian independence, imperialists are endeavoring, by their dishonest phrases, to instill the idea that elevation to equality may be obtained by continuation of subordination; for that is necessarily implied by the words "within the Empire." The Empire consists of two parts—the dominant and the subordinate parts—and if Canada is not (by federation) to acquire a place in the dominating part, she must necessarily remain where she is—among the subordinates. The most perfect arrangement for *consulting* Canada and the other Dominions, prior to action by the British Government, bears no resemblance to arrangements by which the Dominions would share in the *decision* as to courses of action. Having a *voice* is not the same thing as having *control*. Consultation is not government. It is merely the British Ministers hearing, with more or less patience, what we have to say, and then doing as they please. That is what is meant by "within the Empire." It falls very far short of "equality."

June, 1919.

The Commonwealth of Britannic Nations.

In a former article I indicted the leaders of the imperialists because of their phrase-prevarications, with which they were instilling the idea that the achievement of Canadian nationality was compatible with imperialistic projects. I referred to "The Imperial War Cabinet," and I dealt more particularly with the self-contradiction of "Equality of status within the Empire," pointing out that as long as Canada remained within the Empire it is quite impossible for her to have "equality" with the dominant part of the Empire.

Another dishonest as well as contradictory phrase is "Autonomous Nations of an Imperial Commonwealth," or, as Sir Robert Borden, in a recent (June 9) statement, put it, "The Commonwealth of Britannic Nations." No one requires to be told that a commonwealth is, as the Oxford Dictionary defines it,

a state in which the supreme power is vested in the people; a republic or democratic state.

It is not a state in which a dominating parliament is elected by a fraction of the people, residing in a small fraction of the state's area. But that is what the British Empire, at the present moment is—altogether in theory, and so far as foreign affairs are concerned, in practice also.

A federation of states may be a commonwealth, as in the case of Australia. But nobody now advocates the federation of the Dominions with the United Kingdom. And apart from an union of that kind, there can be no such thing as a state composed of several states. Several men may form a community or company. But one man cannot be composed of several men.

I trust that it will not be thought that I am pillorizing these faults in nomenclature for the mere purpose of proving that the words of my opponents are stupidly chosen. That is not my purpose. On the contrary, it is because of the skill—the dishonest skill—displayed in the selection of misleading language, that I find it necessary to give warning to readers. By their phrase-prevarications, these men are endeavoring to make the Canadian people believe that imperialistic projects will give them the freedom which they desire. And it is for that reason only that I am seeking to give clear definition to the words which are being used.

Canadian Nationalism and Imperialism are as incompatible as affirmative and negative; as having, and not having, complete control of

Canadian affairs; as being free, and not being free, to shape our foreign policy as we will. Phrase-prevarications may, for a time, tend to cloud that fact, but they cannot make it untrue.

June, 1919.

Canada and the Peace Treaty

The most satisfactory evidence of the rapidly expanding power of Canadian nationalistic feeling is the persistently anxious efforts of its opponents to tranquilize it by the phrase-prevarications of which I complained in recent contributions to *The Canadian Nation*, and by assertions that nationalism has, in reality, been already conceded. A few days ago, for example, there appeared in the newspapers a communication from the Department of Public Information as follows:

Canada made a complete step towards nationhood within the Empire when her plenipotentiaries took full rank with those of the world powers in signing the treaty of peace at Versailles on Saturday.

There is, of course, no such thing as "nationhood within the Empire," and it is a wild perversion of fact to say that Canada "took full rank" with the world powers. The clause of the treaty which specifies the parties to it is as follows:

The United States of America, the British Empire, France, Italy and Japan (These Powers being described in the present treaty as the Principal Allied and Associated Powers); Belgium, Bolivia, Brazil, China, Cuba, Ecuador, Greece, Guatemala, Haiti, the Hedjaz, Honduras, Liberia, Nicaragua, Panama, Peru, Poland, Portugal, Roumania, The Serb-Croat-Slovene State, Siam, Czecho-Slovakia, and Uruguay (These Powers constituting with the Principal Powers mentioned above, the Allied and Associated Powers) of the one part; And Germany of the other part.

For this purpose, the High Contracting Parties represented as follows:

The President of the United States of America by: President Wilson, &c.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, by: The Right Honorable David Lloyd George, &c.

And for the Dominion of Canada, by: The Right Honorable Charles Joseph Doherty, &c.

The following points must be noted:

1. Canada, as Canada, is not a party to the treaty.
2. It is "the British Empire" who is the party.
3. The names of Lloyd George, Bonar Law, etc., are not preceded

by the words, "For the United Kingdom of Great Britain and Ireland." Those men represent the King-Emperor without limitation to any part of his territory. Their authority extends to Canada and all other places.

4. The addition, therefore, of separate representatives for Canada, Australia, etc., is contradictory and absurd. If every one of them refused his signature, the treaty would nevertheless bind their countries.

5. The absurdity is made conspicuously manifest by the appointment of separate representatives for India.

It has been intimated that the treaty will be submitted to the Canadian parliament for ratification. That would be an extremely foolish operation. For as Canadian signatures to the treaty are unnecessary surplusage, so would ratification (which means approval by the principal of what his agent had done for him) be altogether inappropriate. Will the gentlemen of the Department of Public Information suggest that if our parliament should refuse ratification, the treaty would, on that account, lack validity?

Then why were the Dominions interjected into the treaty?

That it was not with the idea of giving any sanction to the suggestion that Canada "took full rank with" the world Powers, is made perfectly apparent by the insertion of the words concerning India—words precisely similar to those made use of with reference to Canada. I fancy that no one in our Department of Public Information would venture the assertion that India "took full rank with" the world Powers. As everyone knows, India has a very small share in the management of her own affairs. She is completely dominated from London.

I can imagine but one reason for the interjection. It is entirely in accordance with the policy pursued by the imperialists. These gentlemen have avowed, over and over again, their apprehension that, in case of a British war, Canada might abstain from participation. And in order to make Canada's abstention impossible, they have endeavored to commit her to Imperial Federation, to an Imperial Council; to promise of co-operation, &c. They have failed. And Canada, until the treaty was signed, was free to refuse to participate in British wars, if she so chose. Now she is not. More particularly, if she ratifies the treaty will she have accepted the obligation it contains to

preserve, as against external aggression, the territorial integrity and existing political independence of all members of the League.

It may be said that Canada will be but one of a large number of nations forming the League, and that her responsibility will be small. I am not concerned with the extent of the responsibility. I do not know what it may amount to, although I have some idea of what our recent participation cost us. What I object to is that such a responsibility as the defence of twenty-seven foreign states, including Bolivia, Ecuador, Greece, Hedjaz, Liberia, Peru, Poland, Roumania, and the new Slavic States, should be assumed, rather than that we should be left with the freedom that we formerly enjoyed.

I am well aware of the general assumption that all future difficulties will be left in the hands of the Council of Five, and that we may safely depend upon it for satisfactory and just action with reference to all contingencies. I have no such faith. History tells me that, although the idealism of such men as the Czar of Russia in 1815, and President Wilson in 1919, may unexpectedly invade conferences of international Powers, yet, upon the whole, self-interest is the dominating factor. Metternich turned awry the idealism of the Czar, and the Japanese have been strong enough to compel the President's signature to the transfer from the German to the Japanese robber of the domination of the Shantung province of China. Canada ought to refuse to be a party to that transaction.

July, 1919.

Canada and the French War Treaty

The Imperialists see in the war treaty recently agreed to between the United Kingdom and France another argument in support of their tranquilizing assertion that Canada has attained the status of complete nationhood. They point to the clause which provides that no obligations are imposed upon any of the Dominions until the treaty is approved by its parliament, and they affirm that, for the future, Canada will control her own war relations. One of the newspapers, for example declares that the clause:

Illustrates the absolute and final recognition by the United Kingdom of the complete autonomy of the self-governing overseas British countries. No longer is it true to say, what until this week was true, in words famous in our Parliament, "When England is at war, Canada is at war." An agreement framed by British statesmen lays down the principle that although England should go to war in a just cause, neither Canada nor Australia nor South Africa has any obligation in the matter except as the respective parliaments of the overseas Dominions shall decide, each for itself.

I wish, from the bottom of my heart, that that were all true. Unfortunately, it is quite inaccurate. A number of years ago, an agreement was reached with our Colonial Office that all future treaties should contain just such a clause as the one above referred to; and, in pursuance of the agreement, the very important treaty between the United Kingdom and Japan of April 3, 1911, provided, in article 26, that it should not be applicable to any of the Dominions—

Unless notice of adhesion shall have been given on behalf of any such Dominion before the expiration of two years.

If it be said that that treaty was not one relating to war, I refer to the war treaty between the United Kingdom and Japan of April 13, 1911, which excludes the Dominions from obligation, not, indeed, by the insertion of a clause to that effect, but by placing the obligation entirely upon "the Government of Great Britain." That, in that way, Canada was left free to do as she pleased, was made quite clear by Sir Edward Grey's reply to a question put to him in the House of Commons (as reported in *The Times* of July 21, 1911). He was asked:

Whether the Japanese Government were informed as to what course of action would be pursued by the Dominions, should Great Britain be involved in war under article two of the treaty.

The reply, in part, was:

The action to be taken by the Dominions in any war in which His Majesty's Government may be engaged is a matter to be considered by His Majesty's Government in consultation with the Dominions, and it is not for discussion with any foreign Government.

What, then, is the effect of such treaties upon Canada's relation to British wars? They do not, in the least, make invalid, as the newspaper thinks, the statement that "When England is at war, Canada is at war." That remains unchanged. The effect merely is to make clear the truth of what I have often said, that, although Canada is necessarily in a state of war or of peace according to the British situation, yet Canada is *under no legal obligation to participate actively in any war*. Of course, if the British enemy should attack Canada, we should have to defend ourselves. But, barring such an attack, Canada could, if she wished, remain quiescent. If, for example, the King, in pursuance of the recent French treaty, should declare war against Germany, every part of the British Empire would be involved, and Canada would be in a state of war with Germany. But, unless Canada had approved the treaty, she would be under no legal obligation to participate in the hostilities. In other words, the treaties make clear the legal position which Canada already occupied.

Nevertheless, from a moral point of view, such treaties are of great importance. Apart from them, Canada, because of her relationship to the United Kingdom—political connection and joint military preparation—would be *under moral obligation* to lend her assistance. We all so felt at the inception of the recent war. The treaty excludes that obligation. Canada, unless she chooses to approve of the French treaty, will be under no moral obligation to protect France against Germany. She will be free to do as she pleases when the occasion arrives.

That is her proper position. Do you know how long our obligation will last if we approve the treaty? Forever—unless a majority of the Council of the League of Nations shall, at some time, declare that the League “itself assures sufficient protection” for France. Canada has no permanent representative in the Council. Could we count upon the support of even the British representative in case we wished to be free? We may be certain that neither the French, Italian, or Japanese representative would be inclined to relieve us from an obligation which reduced the weight of their own.

Dominated as he now is by the Imperialists (Lord Milner, Col. Amery, Philip Kerr, and the others), Mr. Lloyd George, with his usual versatility, has adopted their language. Addressing, some days ago, men from South Africa who desired independence for the Transvaal and the Orange Free State, he said (as reported in *The Times* of June 11):

Finally, I would point to the status which South Africa now occupies in the world. It is surely no mean one. The South African people control their own national destiny in the fullest sense.

Of course, they do not. Indeed, the purpose of the address was to declare the policy of the United Kingdom with reference to South Africa. If at any time war should be necessary to keep Cape Town under British control, war there will be. Mr. Lloyd George might as truthfully have said that Gibraltar or Malta or Cyprus was free to declare its independence, which, as everyone knows is not the case.

July, 1919.

Mr. Rowell: Standing or Wobbling?

In his recent pronouncement from Okanagan, Mr. Rowell asked:

Does *The Globe* stand with Union Government . . . in maintaining in the councils of the Empire and at the conference table of the nations the unity of the British Commonwealth and the equality of the nations which endorse (*sic.*, probably intended for *compose*) it, and that our constitutional development be

along lines of consultation and co-operation between the different self-governing nations of the Empire, rather than the centralization of power in the hands of one?

The best reply is that neither Mr. Rowell nor anybody else can "stand" upon such an inconsistent, contradictory, wobbly statement as that which he presents to *The Globe*. If Canada's political status is to be *equal* to that of the United Kingdom, she must have control of her own foreign policy. She will not be merely consulted about it. If it be true, as Mr. Rowell said in the House of Commons (11th March, 1919):

A—that Canada, not only in theory, but in fact, has reached the status of a nation

and that,

B—it is inconceivable that Canada should be content to occupy a subordinate position in the Empire.

then Canada must have control of her own foreign relations. Not a right to be heard, not a consultative voice, but *control*.

Although that is obviously indisputable, Mr. Rowell will not agree to it, and he makes a practice of finishing every such sentence as those quoted with an antidotary wobble, such as the addition to quotation A—on these vital matters affecting foreign policy and peace and war, we have a right to be heard, and the means is provided whereby our voice can be heard in determining these questions so vital to our future;

and such as the addition to quotation B—

to have the issues that affect the lives and welfare of her families and citizens determined by men living elsewhere, and to have no voice whatever in their determination;

and such as in the quotation to *The Globe*:

that our constitutional development be along lines of consultation and co-operation between the different self-governing nations of the Empire.

And so in every sentence we have the same contradiction: (1) Canada is a nation in fact as well as in theory, and has "*a right to be heard*" by some other nation, "in determining these questions so vital to our future." (2) Canada does not "occupy a subordinate position"; she *has a voice* in the determination of vital issues "by men living elsewhere." (3) Canada has political equality with the other nations (including, of course, the United Kingdom), and her constitutional development ought to be "*along lines of consultation and co-operation*"—ought to be, I suppose, by making use of the consultative voice, which

those who make the determinations are sometimes willing to hear and carefully to consider.

It is difficult to believe that Mr. Rowell can fail to realize that in each of these (and other similar) sentences he hurriedly flops from nationalism to imperialism. His method is apparently the result of careful reflection. It is pursued with unvarying regularity. From flopping incongruity, he never departs. Invariably a wobble to one side is followed by a wobble to the other. He stands first on one platform, then on another, very far away, and poses *The Globe* by asking it to stand upon both at the same time.

Mr. Rowell can express himself clearly when he wishes.

August, 1919.

Will Canada Assume Treaty Obligations?

The Entente Allies are recovering their sanity with satisfactory expedition. War resolutions are undergoing rapid deliquescence, and President Wilson's idealisms, in contact with the realities, are suffering the usual fate. But why should there be such realities? Why will human nature persist in displaying the characteristics of human nature? Because, Mr. President, things are as they are. But why, at least, I may add, will not people apply any rational faculty that they may possess to situations as they arise? They could do it if they tried. But they do not, and they will not try. And thus the most obvious absurdities are invented, believed, and almost unanimously resolved upon, only, upon change of mood, to be abandoned as too palpably ridiculous for entertainment. Look, for example, at the Paris Conference of only three years ago, when all the Allies resolved upon

the organization, on a permanent basis, of their economic alliance, and agreed upon two programmes of conduct after the war—one of them carrying the caption

Transitory Measures for the period of Commercial, Industrial and Maritime Reconstruction of the Allied Countries;
and the other,

Permanent Measures of Mutual Assistance and Collaboration among the Allies.

The Allies agreed that they would

recommend their respective Governments to take without delay all the measures, whether temporary or permanent, requisite for giving full and complete effect to this policy forthwith.

No Government, of course, implemented the agreement. And now we are told that,

The first real hint of what the British Government's after-the-war policy is to be is contained in a Board of Trade appeal for a big campaign by the British merchants to capture the markets of Europe. Now that the blockade has been raised, the Board points out, these markets will be opened to the world, and it may be expected that there will be a considerable demand in Germany for all kinds of goods.—(London *Times* cable service to the Toronto *Globe*, 27th July, 1919).

Will Canadians learn from this to remain unmoved by influences which have no better recommendation than that they emanate from a Paris Conference whose resolutions were the result of heavy compromises of widely conflicting interests? I very much fear that the lesson has not been learned. I see as little criticism, from a Canadian standpoint, of the League of Nations as there was of the 1916 Conference. We appear to be ready to assume the most gigantic and everlasting obligations without the slightest consideration—without even an effort to understand what we are doing. I do not exaggerate the nature of the obligation. Article 10 of the League provides that,

The members of the League undertake to respect and preserve, as against external aggression, the territorial integrity and existing political independence of all members of the League.

Canada is to guarantee "the territorial integrity" of twenty-seven countries:

Of China, for example, which the Great Powers have from time to time robbed, and which Japan and Russia will rob again:

Of Japan, which has recently, by means of rapacious military force, annexed Korea, and as against which the Koreans are in patriotic revolt. Of Japan, which has forced the Peace Conference to hand over Chinese properties in Shantung.

Of Roumania, which is, at this moment, at war with Hungary on a quarrel of boundaries; which has taken to itself territory that ought to go to Serbia; and which will be at issue over Bessarabia as soon as Russia has recuperated.

Of Czecho-Slovakia, of which we do not know what are to be the boundaries.

Of the Serbo-Croat-Slovene State, which has not yet been adequately baptized, and is in sharp quarrel with Italy over Fiume and

much else. One of these States—probably both of them—is going to be left with a *terra irredenta*.

Of Poland, which, in its best days, was unable to present united front to enemies; which has now been endowed with territory essentially German; and which, by the “corridor,” divides Germany into separated sections.

Of Italy, which has annexed purely German territory in the Tyrol; which may succeed in its struggle with the Serbs and Croats; which is making large claims in Africa; and which may get more than it is entitled to in Anatolia and elsewhere.

Of the Hedjaz (What and where is the Hedjaz?)—Of the Hedjaz, the newly-constituted Arab State, which is not content with western Arabia, but appears likely to extend through Palestine as far north as to include Damascus, in the French preserve—well to the north of Jerusalem.

Of Belgium, which is to annex Prussian Moissenet; which may get Eupan and Malmedy, and which is thus creating a certain German *irredenta*.

Of France, which is, at the present moment in acrimonious dispute with the United Kingdom over division of the spoils in Asia Minor and Syria. Is, or is not, a secret treaty, made during the war, now in force? What right has the King of the Hedjaz to territory that was agreed to be French? Why is the United Kingdom exercising sovereign power in Beirut, etc., etc.?

All Eastern Europe is in tatters, and much of it in chaos. “Territorial integrity,” at the present time, has war-ensuring meaning for some of the states, and no meaning at all for the others. What it will mean, nobody knows. All that Canada does know is that she will have no hand in the work.

If our sanity were completely re-established, would we agree to maintain the “territorial integrity and independence” of all these places, even if we knew what their territory was? We are far from usual health if, not knowing much less approving, what may at some future time be done in Paris, by way of settling all territorial disputes, we guarantee in advance the inviolability of all its geographical deliberations.

August, 1919.

Canada's Political Status.

I am afraid that Canada is practising something of a thimblering trick with her political status. She is a nation—when she likes. And she is part of the British Empire—when it pleases her.

When for example, Mr. Taft objects that while the United States has but one representative in the League of Nations, the British Empire has six, we indignantly reply that Canada is a nation in the same sense as Siam, or France, or the United States, and that (according to the *Winnipeg Free Press*),

Canada will be equal in status to the other members of the League, or she will not be a member.

In other words, Canada is a member of the League by virtue of her international status, and her representative will speak and act for Canada as an independent nation—or not at all.

Very well. Now turn to the subject of preferential tariffs, and observe with what skill the nimble pea is made to change its location. If Canada gives a preference to the United Kingdom, and if Germany (last time) and the United States (next time) retaliate, we become wrathfully indignant. We are part of the British Empire, we say, and “within the Empire” we may do as we please without giving offence to outsiders. The case, we say, is not one of an international entity giving preference to another international entity. It is rather a case similar to tariff arrangements between New York and Illinois.

Clearly enough, we cannot fairly allege that we occupy these two inconsistent positions. We cannot say that we are, and are not an international entity; that we are, and are not part of the British Empire—according as, from time to time, we choose to elect. We must be one thing or the other.

Or rather, I should suggest, one would assume, *a priori*, that we must be one thing or the other. For, as a matter of fact, we are, unqualifiedly, neither; and being neither, we are able to urge that we are one of them (as it suits us) *because we are not the other*. It may be clever (I think it is rather stupid), but it is not very honest; and it deceives nobody who is hurt by it.

For several years prior to the war, in the *Kingdom Papers*, I insisted upon the discrepancy between theory and fact with reference to Canada's political status. According to theory, we were a subordinate

community, whereas, as a matter of recognized fact, we were, in almost all respects, an independent nation. In foreign affairs only did we appear to be deficient, but, even with reference to some of these, we had succeeded in securing substantial control. What change, if any, have the war and the Peace Conference effected in our pre-war status?

During the war, members of our Government were accustomed to meet with members of the British Government in consultation over war affairs. The phrase, "The Imperial War Cabinet," was dishonestly applied to those meetings, and Sir Robert Borden said that they formed "an important advance in constitutional relations." That was true only if the meetings should become the commencement of a system of meetings, after cessation of the war, at which policies for application in Canada were to be settled. And in that case the "advance" would really be a *retrogression*—a movement in precisely the wrong direction. It would be a method whereby pressure was to be placed upon Canada to adopt courses of action mapped for her in London, under all the influences of London aristocratical society. A Dominion representative once complained (or boasted) that, when he reached England, he was met at the landing by Dukes and Duchesses, and never was able to escape their undesired (?) attentions.

The Peace Treaty has emphasized in unexpected, but very striking, fashion the anomaly of our position. Its language wobbles like that of Mr. Rowell. Observe the following:

1. Canada's representatives signed the Peace Treaty, and Canada appears, therefore (if you don't examine too closely) to be a veritable nation—one of the international "Powers". BUT Canada was not a party to the treaty. The parties were the five "Principal and Associated Powers"—of which the British Empire was one—and twenty-two other "Powers"—of which Canada was not one. Canada, Australia, New Zealand, South Africa and India are referred to not as "Powers," but as "Members of the League." They are the only members of the League, and the only signatories of the treaty from whom the appellation "Powers" is withheld. Canada's signature to the treaty was inappropriate, and, save as a long step in the accomplishment of the ensnaring purpose of the Imperialists, quite useless.

2. Canada's name appears in the list of "Original members of the League of Nations." But India is also named, and in precisely the same way. If, then, we say that Canada has international status because she is a member of the League, we must put India in the same

category. And inasmuch as we can make no such pretence for India, we can make no effective claim for ourselves.

3. The clause of the covenant which provides that—

Any fully self-governing State, Dominion or Colony not named in the annex may become a member of the League . . . provided that it shall give effective guarantees of its sincere intention to observe its international obligations,

points in both directions. Members of the League, it may be said, are necessarily international entities, for they have "international obligations." But observe the word "colony," which necessarily implies (if "Dominion" does not) that members of the League may be *subordinate* communities. Article 10 of the League implies that all its members are capable of international action independently of any other member—that each member therefore is a separate and independent Power—for it provides that the members—

undertake to respect and preserve as against international aggression the territorial integrity and existing political independence of all members of the League,

But India is a very subordinate part of the Empire to which it belongs, and of itself, can do nothing.

The purpose of all this very clever manipulation is clear to those who are familiar with the previous efforts of the Imperialists to rob Canada of the freedom with reference to wars which, up to this time, she has enjoyed. Under the pretence of raising her to international standing, the schemers are endeavoring to bind her to do as she is told. Duped, or it may be said "doped," with a simulacrum of nationhood, she is being closely manacled with shackles which, even in her more purely colonial period, she refused to wear.

But an unforeseen embarrassment in the carrying out of the plot has arisen. The United Kingdom, for pressing commercial reasons, is anxious for the immediate proclamation of peace, and not only has her parliament hurriedly ratified the treaty, but the King's assent has been given with unusual expedition. All that remains to be done in order that the "British Empire" shall be at peace is that the statute shall be "deposited" in Paris. And now Sir Robert Borden takes fright. And justly so, for the bones of the whole scheme have been laid bare. He has summoned parliament to ratify the treaty, and everybody now has become aware that, as a treaty, it stands in need of ratification by the Canadian Parliament as little as by the Ottawa Street Railway Com-

pany. The statute of the British Parliament will remain, even if our parliament, or the railway company, decline to bestow its endorsement.

And thus, in most vivid fashion, is made clear to every Canadian that the hitherto well-concealed reason for asking Canada to sign a treaty to which she is not a party, and for asking her parliament to ratify a treaty which would be unaffected by her refusal, is not in the least that the treaty may become operative, but solely and exclusively for the single purpose of filching her freedom with reference to participation in future wars—to prevent her from saying, when called upon to “preserve against external aggression” such places as the Hedjaz, and the Serbo-Croat-Slovene States (whose limits are still the subject of sharp disputes), that the obligation was not self-assumed.

The draftsmen of the treaty may well be complimented on the exceedingly skilful manner in which they have accomplished their purpose. Canada is given the appearance of an advance to nationhood. *But* in fact she takes nothing except an unlimited and never-ending obligation. And thus Mr. J. C. Walsh may well say that,

Unless I am altogether mistaken, the constitutional position of Canada has been profoundly modified by what was done in Paris.

The only mistake Mr. Walsh made was as to the direction of the modification—towards nationalism or imperialism. Canada’s freedom with reference to war is gone—unless her parliament refuses to ratify what her representatives have done.

August, 1919.

The French War Treaty.

The French War Treaty provides that Canada is not to be bound by it “until it is approved by Canada’s parliament.” It also provides that, in case certain stipulations of the Peace Treaty—

may not at first provide adequate security and protection to France, Great Britain agrees to come immediately to her assistance in the event of any unprovoked movement of aggression against her being made by Germany.

The treaty is to—

continue in force until, on the application of one of the parties to it, the Council, acting, if need be by a majority, agrees that the League itself affords sufficient protection.

And a most important question for our consideration is, *What are the chances of Canada ever being released from the obligation of the treaty in the event of her approving of it?*

1. One natural answer would be that Canada will be released when the League has become a success. But, in the view of almost everybody, that period will never arrive.

2. More hopeful people would say that Canada will be released when the League has become such a success that it will afford sufficient protection to France. But that time also will never arrive. For it is a majority of the Council that have to determine as to the effectiveness of the League, and while France will always be a member of the Council, Canada never will be represented in it. Canada will never be in a position even to make an application for release.

3. Whether these prognostications are well founded is, however, immaterial, for President Wilson has, in his recent conversation with the Senators, demonstrated that the underlying motive for the treaty will continue to operate no matter how successful the League may be. For he has told us that the necessity for the treaty was—

to meet the possibility of delay in action on the part of the Council of the League.

That delay will always be a possibility, for the Council does not sit continuously. It is obliged to "meet from time to time, as occasion may require, and at least once a year." Unless, therefore, the emergency arose while the Council happened to be in session, it would not proceed to function until its members, summoned from various parts of the world, had reached Geneva.

But whether the Council were in session or not, delay would necessarily occur, for, as the President told the Senators, the members of the Paris Conference—

were all the time aware of the fact that it would depend upon the approving or disapproving state of opinion of their countries how their representatives in the Council would vote in matters of this sort, and it is not conceivable to me that unless the opinion of the United States—the moral and practical judgment of the people of the United States, approved, the representative of the United States on the Council should vote any such advice as would lead us into war.

What length of time would elapse before every member of the Council (there are nine of them) felt that he had received sufficient mandate from "the people" of his country, is a matter for pure conjecture. But even if every member believed that he was in a position to represent accurately the opinion of his country, unanimous agreement upon the course of action to be pursued would be necessary before any

step could be taken. The probability of such unanimity is very small. And if we may assume that the Council formulated some course of action, still, according to President Wilson, the advice of the Council is—

only advice in any case. Each Government is free to reject it if it please.

Very considerable delay will necessarily be entailed by submission of the advice to each of the Governments or Legislatures of all the members of the League—twenty-seven of them at the present time. We may assume that the action of the United States alone would consume several weeks.

It is therefore quite apparent that the methods prescribed by the League of Nations would be of no service in the case of an “unprovoked movement of aggression” against France by Germany. And as that very apparent ineffectiveness has been demonstrated by the President of the United States, it will be impossible for the Council ever to declare that “the League itself affords sufficient protection” for France as against Germany.

When the President was asked whether it would be wise for the United States to adopt a treaty which would terminate only by permission of the Council of the League of Nations, he replied:

I do, Senator. I have a very strong feeling with regard to our historical relations with France, and also a very keen appreciation of her own sense of danger, and I think it would be one of the handsomest acts of history to enter into that.

In answer to a question as to what objection there would be to inserting a time limit in the treaty, the President replied:

Only a psychological objection. The sentiment between the two countries.

That is sentimentality sublimated into the regions of stupidity. Voluntarily to assume such an obligation as that provided for our acceptance in the French War Treaty would be an act of the most stupendous folly.

August, 1919.

(It was never submitted to our parliament.)

The League of Nations.

When, in 1867, Lord Stanley explained to the House of Commons that a guarantee of the neutrality of Luxemburg (contained in a treaty which he had just signed) was a promise limited to cases in which all the Powers which could make trouble would agree to act “collectively”

against any other Power, he was met by expressions of general amazement and by repetitions of the continental charge of "Perfide Albion." When Luxemburg was invaded by Germany in 1914, Sir Edward Grey washed his hands in the assertion of 1867. No signatory of the treaty was under obligation to act without the co-operation of the other four, of whom Prussia and Austria were two.

History repeating itself, President Wilson returns from Paris, where, as part of his pet scheme, he obtained general assent to Article Ten of the Covenant, and he explains that it imposes no specific legal obligation upon anybody—that every nation is at liberty to take, or to refuse to take, action upon it, as it may think right. The article is as follows:

The members of the League undertake to respect and preserve, as against external aggression, the territorial integrity and existing political independence of all members of the League. In case of any such aggression, or in case of any threat or danger of such aggression, the Council shall advise upon the means by which this obligation shall be fulfilled.

During the course of a long conversation with some of the Senators, the President declared that the advice of the Council, even if unanimous, was—

only advice in any case. Each Government is free to reject it if it please. Nothing could have been made more clear to the Conference than the right of our Congress under our constitution to exercise its own judgment in all matters of peace and war.

Having thus placed the decision in the hands of each of the Governments or Legislatures of the twenty-seven nations, the President proceeded to remove all possibility of agreement or of prompt action by saying that the members of the Paris Conference—

were all the time aware of the fact that it would depend upon the approving or disapproving state of opinion of their countries how their representatives in the Council would vote in matters of this sort, and it is not conceivable to me that, unless the opinion of the United States—the moral and practical judgment of the people of the United States—approved, the representative of the United States on the Council should vote any such advice as would lead us into war.

To the suggestion that if Congress were free to act as it pleased, and if every other Legislature had the same freedom, the League was "a rope of sand," the President replied:

The reason I do not agree with you, Senator, is that I do not think such a refusal would likely often occur. I believe that it would be only upon the gravest grounds—and in case Congress is right, I am indifferent to foreign criticisms.

Why the President believes that all subsequent Congresses would be more reasonable than the present (as he estimates it) he did not explain.

The President's interpretation of the words, "preserve as against external aggression the territorial integrity," is interesting as indicating that prompt action is unnecessary:

I understand that Article Ten means that no nation is at liberty to invade the territorial integrity of another. That does not mean to invade for purpose of warfare, but to impair the territorial integrity of another nation. Its territorial integrity is not destroyed by armed intervention; it is destroyed by retention, by taking territory away from it; that impairs its territorial integrity.

The clause would come into operation, the President said, only if the aggressor, after having occupied its opponent's territory, "stays there". The clause, therefore, would not have affected either Austria's attack upon Serbia, or Germany's upon Belgium. It would apply only after the cessation of hostilities, and the lapse of a further reasonable time for withdrawal of the occupying troops. When that time had expired, the Council would consider, in the first place, which of the belligerents had been the aggressor (for the party attacked is not forbidden to annex territory), and, in the second place, whether (if the aggressor has been the victor) a new war is to be undertaken for the purpose of causing him to withdraw. Moreover, after the Council arrives at a decision, it is to be binding upon nobody, for, as the President has it—each nation must determine . . . whether or not there has been external aggression.

Answering a question as to the value, under these circumstances, of the League of Nations, the President said that—

it steadies the whole world by its promise beforehand that it will stand with other nations, of similar judgment, to maintain right in the world.

Of what value would be a promise by A that he would co-operate with B, C, D, in cases in which they should concur both as to action and as to method of action, the President did not say. And he was mistaken in declaring that Article Ten related to the maintenance of "right in the world." It relates to national boundaries, which are not yet settled, and which, quite clearly, are being settled, not according to right, but according to present expediencies, dominated by clashing ambitions and truculent intimidations. It guarantees "the territorial integrity" of all the imperialistic nations, including the rapacious thefts which have disgraced the nations which, in unison, prate about the maintenance of right in the world. What right-wishing man, for

example, would help the perpetuation of the *wrongs* inflicted upon China by the United Kingdom, by Russia, by Germany, and, more especially, by Jāpan?

History, including the most recent, leaves no possible doubt that the President's interpretation of Article Ten, or some other such interpretation, will be asserted by every nation which, upon any future occasion, does not wish to commence hostilities in accordance with the advice of the Council. Experience of the present war proves, most incontestably, that treaties are always construed according as interests dictate. Italy and Roumania interpreted their treaties with Germany and Austria as inapplicable to the occasion, and, their interests so impelling, they eventually made war upon their erstwhile allies. Greece gave a somewhat unexpected twist to her treaty with Serbia, and refused to render the agreed military assistance. Japan, on the other hand, pretended that her treaty with the United Kingdom demanded her intervention, whereas an opportunity for grabbing German property was her sole actuating motive. Germany treated with arrogant contempt the Belgian treaty. And the United Kingdom, interested in Belgium, but not in Luxemburg, declared herself bound to act upon one treaty and not upon the other.

To those familiar with diplomatic history, Article Ten was always well known to be of no compelling value. The President has now so proclaimed to the world. By asserting that the United States is free to do as it pleases—or, perhaps, as the President would say, as it thinks right—he accords similar freedom to every other member of the League. Article Ten ought to be amended so as to make that perfectly clear. A motion to drop it altogether would then be in perfect order.

The idea of a League of Nations is excellent, but its principal feature must not be a clause containing an undertaking, referred to as an "obligation", which is officially declared not to be intended to have the effect of a real obligation. There ought not to be in it (at all events in a first effort at world-union) any attempt at agreement for the employment of force. The difficulty of drafting an acceptable clause is insuperable. Let the League provide for annual meetings of representatives from all countries, at which world-affairs will be openly and frankly discussed; at which questions may be put; and at which resolutions, expressive of opinion and recommendation, may be passed. That is all that ought to be attempted at the present time. I have great faith in publicity.

August, 1919.

Mr. Ewart Reviews Treaty Debate.

[During the debate upon the Peace Treaty, Mr. Rowell, much embarrassed by questions as to the status of India, refused to say a word about it. The subject for debate, he said, was Canada, not India. He was not without precedent. At a negro debating society, the subject for debate was: "Resolved that the hen who lays the egg, and not the hen who hatches it, is the mother of the chicken." As convincing argument, the leader of the affirmative said that if a hen laid an egg and a duck sat on it, the hen would, of course, be the mother; whereupon the leader of the negative cried out, "Mr. Chairman, I rise to a point of order; the subject for debate is hens, not ducks."]

Intervening in the debate as to Canada's status, Mr. W. F. Maclean, with conspicuous lucidity, said:

I shall be convinced that we are a nation only when I know that we have the sovereignty that goes with a nation. I agree with the hon. member (Mr. Cannon) that as long as Canada has not the right to make her own constitution—and we have not that right—we are not a nation, and we have not sovereignty. We have not sovereign rights in regard to treaties and in regard to war? We cannot make war; we cannot make peace. We cannot send ambassadors to other countries; we cannot receive ambassadors here. We have not sovereignty even in the matter of shipping. We have not sovereignty in the matter of copyright. As the member for Dorchester said, our courts are not the supreme and final interpreters of our own law. So that when hon. gentlemen say that we are a nation, I tell them that we shall be a nation only when we shall have assumed full sovereignty; only when we have the rights which are at present denied to us.

That is all very clear, and clear because the language is precise. But if the word *nation* may mean anything between the status of an Indian tribe (one of the Six Nations) and the status of France, debate as to whether Canada is, or is not, a nation, may proceed indefinitely without result. On this occasion it lasted four days.

Most unexpectedly, Sir Robert Borden indicated confusion upon such a simple subject. Usually, (as at the Government House luncheon on 29 August last), his language is that equality of nationhood must be recognized, preserving unimpaired to each dominion the full autonomous powers which it now holds and safeguarding to each, by necessary consultation and by adequate voice and influence, its highest interests in the issues of war or peace.

And by "adequate voice," he meant not a determining, but a consultative voice only—a purely imperialistic and centralizing proposal. During the debate, however, he said that Canada is

incapable of accepting at the Peace Conference, in the League of Nations, or *elsewhere*, a status inferior to that accorded to nations less advanced in wealth, resources and population, *no more complete in their sovereignty*, and far less conspicuous in their sacrifice.

If Sir Robert will adhere to that statement—that Canada must have a status not inferior to that of Guatemala, or Nicaragua, or Peru, or a dozen other of the little states which are parties to the peace treaty, he will be acclaimed throughout Canada. I am afraid he will retract.

Sir Robert insisted upon “the new and definite status of the Dominions.” On the other hand, Mr. Rowell said:

I am not questioning the fact that that has been our status up to date I do not claim that the Government of Canada has improved the status of the Dominion during the war.

And shortly afterwards, he contradicted himself by saying that Canada

holds a national status in advance of that enjoyed by Canada in the past.

He contradicted himself again, when, having agreed to the popular view of Canada’s subordinate position, he proceeded to say that her political evolution was

a gradual process, an evolution from the position of a colony to that of a sister nation of equal status with the Mother Country. We are reaching to that position, and when this Constitutional Conference is held, I feel confident that it will accord us that position.

Mr. LAPOINTE: We have not got that position today, then?

Mr. ROWELL: We have it in fact, and the British Government recognize that we are entitled to it, but the machinery for giving effect to it has not yet been fully worked out.

What wobbling: “We are reaching to that position”; “we have it in fact”; “the British Government recognize that we are entitled to it.” One does want from Mr. Rowell an unqualified reply to the question, Have we, or have we not that status? We all know the answer. Mr. Rowell knows it perfectly.

He was, no doubt, much bothered with questions put to him with reference to the status of India, which had not only been represented in the meeting of ministers in London and at the Peace Conference, in the same way as had Canada, but had signed the treaty. Had, or had not India (which has as yet not the semblance of responsible government) risen to national status because of what happened at Paris? The true answer would, of course, make nonsense of the allegation that Canada had risen to nationhood at Paris; and as that answer did not suit Mr. Rowell, he flatly refused to say a word about India. I hope that Sir Robert in the next debate will be more frank.

From the memorandum which the Dominion ministers presented to the Conference, we learn that they requested that the treaty should be so drawn that, for the purposes of the signatures to it, the British Empire should be separated into its component parts—that Mr. Lloyd George and his colleagues should sign on behalf of the United Kingdom and its dependencies; that Sir Robert Borden and his colleagues should sign on behalf of Canada, and so on. If that had been assented to, Sir Robert would have had something to show for his “equality of nationhood.” But British officials refused to assent. Mr. Lloyd George and his colleagues signed as representatives of the King; after which nothing remained to be done, except, for the sake of something to say, to add “for Canada”, etc.—which was just as inappropriate as would have been “for Barbadoes.”

To placate Canada (even as President Wilson is endeavoring to placate his people), Mr. Doherty and Mr. Rowell, in the course of the debate, gave such an interpretation of the Covenant of the League of Nations as renders it not only valueless but positively mischievous. Instead of being a real covenant for united action against disturbers of the peace, the ministers declare it to be, in effect, nothing more than an agreement that if, under any future set of circumstances, the members of the League are willing to take action, they will proceed to do it. The argument is that, although it is true that under Article 10, it is the Council of the League which is to “advise upon the means by which this obligation shall be fulfilled,” yet that if the Council, as ordinarily constituted (that is of nine members) proposes to make a call upon members of the League for action, those members must first be invited to become members of the Council; and inasmuch as decisions of the Council must be unanimous, the invited members must assent to the proposal before it can become obligatory. To Mr. Fielding’s interruption

Under that interpretation, the whole Assembly would become members of the Council.

Mr. Doherty replied:

If the Council chose, at one and the same meeting, to consider the duties and obligations of all the members of the Council, they would.

When Mr. Rowell was enunciating the same doctrine, Mr. Lapointe said:

That means that Canada shall never be compelled to take action unless she agrees to it. Is that the answer of my hon. friend?

Mr. ROWELL: She cannot be compelled to take action unless she agrees to it, so far as action under that clause is concerned.

Mr. LAPOINTE: It is interesting to have that on Hansard.

What a perfect farce. Germany or Russia for example, becomes aggressive; the Council of nine proposes to institute a commercial, financial, and contractual boycott, and to organize a military campaign to which all the members are to contribute; representatives of the thirty-two members are therefore summoned to meet at Geneva; after the lapse of several weeks the representatives assemble; they listen, and disagree; and they go home again. Thirty-one can make no decision. The Covenant, if this be its meaning, is a scrap of paper smirched with stupidities.

Seeking for an election slogan in the word *independence*, Mr. Rowell asked that he might be told what change in the constitution his opponent wanted. Mr. McMaster made fine reply:

She can improve her constitutional position by insisting upon all those sovereign rights which she does not now possess, the acquisition of which will make her a sister nation equal with the United Kingdom of Great Britain and Ireland.

Mr. McMaster then proceeded to enumerate our deficiencies as mentioned by Mr. Maclean.

Upon four recent occasions our right to meddle with our own foreign affairs—so far at least as to be consulted about them—might well have been acknowledged: (1) When prior to the war (quoting Sir Robert Borden) "treaties and understandings" with France and Russia out of which "in one sense," "the recent war arose" were being entered into; (2) when the advisability of declaring war upon Germany was being considered; (3) when, during the war (while the "Imperial War Cabinet" was supposed to be in full function) six secret treaties with Russia, Italy, Roumania, and Japan were being negotiated; and (4) when at Paris (5 Nov. 1918) the allies agreed to accept President Wilson's fourteen points as a basis for an armistice and a treaty of peace with Germany. On no one of these occasions were the Dominion Premiers consulted. During the debate, Mr. Lapointe read the vigorous protest of Mr. Hughes (the Australian Premier) who when the armistice was being agreed to was in London, and who had been left to learn from the newspapers what had been done in Paris. No consultation of any kind upon any of these very important occasions; but when it comes to putting Canadian signatures to a contract to which Canada

is not a party, and approving something that the British parliament has already approved and the King assented to, then, inasmuch as what we do is as unimportant as putting a postage stamp upon an already franked letter (to quote Mr. Fielding) we are told that our national status is being acknowledged.

During the debate, Mr. Fielding moved the following amendment:

That in giving such approval, this House in no way assents to any impairment of the existing autonomous authority of the Dominions, but declares that the question of what part, if any, the forces of Canada shall take in any war, actual or threatened, is one to be determined at all times as occasion may require by the people of Canada through their representatives in Parliament.

If the interpretation of the treaty was as Messrs. Doherty and Rowell asserted, there could have been, one would have thought, no objection to this amendment. It was voted down by 102 to 70.

The imperialists then have won. Canada's control over participation in foreign wars is gone. During the debate Mr. Mowat said:

My hon. friend, the leader of the Opposition, asked: Does the approving of the Treaty take away our liberty of choice as to entering into an European war? Yes it does. And I thank Heaven it does.

But the victory has been won at a cost which some imperialists already regret. For, in order to accomplish their purposes, they have been compelled to adopt the language of Canadian nationhood; to point to the leader of the Liberals as "the leader of the Little Canadian Party," who

seems to idealize or embody that feeling which is of the shrinking, shivering kind, typified in people who do not like to see Canada emerge from the position which it has hitherto held, do not like to see Canada make progress ; and to assert that we have already "in fact" the position "of a sister nation" of equal status with the Mother Country." That, of course, is a wild exaggeration, but it is grateful to the ear of one who, for years, was villified for insisting that Canada ought to have that status. *The imperialists are doing my work, although not in my way.* The Canadian people are being enlightened. They are being effectively taught that subordination is humiliation. They are being educated into national self-respect. And if that education leads them, in the near future, to insist upon transforming hyperbole into actual fact, the imperialists will be able to reflect that it was they who, in order that they might temporarily filch from their country her freedom with reference to wars, stimulated Canadian thought, and very materially advanced

the day upon which Canada will declare for sovereignty, equal in every respect to that of the United Kingdom itself, in the only way in which perfect equality can be obtained, namely by a declaration of independence.

September, 1919.

Testimonials for Canada.

Fifty-five years ago, Sir John A. Macdonald wanted to make of Canada a Kingdom, in fact as well as in name—

recognizing the Sovereign of Great Britain as its sole and only head. There was to be no Colonial Office interference, and our constitution was to be made "similar to that of the Imperial Government." Sir John was much too far in advance of his time. He failed. Canada remained under moderated subjection. Her legislative freedom was denied. She resumed her slow but persistent march toward political emancipation. And the imperialists heaped their denunciations upon those who advocated that which Sir John had taught them to desire.

Now, as in a twinkling, has appeared a very surprising change. Language which formerly was treasonable has become universal. And the war, which we were told would "cement the bonds of Empire," has (so it is said) elevated Canada to a political status equal to that of the United Kingdom itself. I have gathered together the dicta of some of the more prominent men, and now present them with, as introduction, a few words from Sir John.

Sir John A. Macdonald, when engaged in framing our Federation, desired that Canada should be known as "The Kingdom of Canada," and that it should have the "rank" as well as the "name" of a Kingdom.

He said that he had in view

the noble object of founding a great British monarchy, in connection with the British Empire and under the British Queen.

I am the subject of a great British-American nation, under the government of Her Majesty, and in connection with the Empire of Great Britain and Ireland. (Whelan: *The Union of the Provinces*, pp. 45-7).

The new constitution

was intended to be, as far as circumstances would permit, similar to that of the Imperial Government, and recognizing the Sovereign of Great Britain as its sole and only head. (Gray: *The Confederation of Canada*, p. 55.)

When we become a nation of eight or nine millions of inhabitants our alliance

will be worthy of being sought by the great nations of the earth. (*Confederation Debates*, p. 43.)

His Royal Highness, the Prince of Wales, when recently in Canada, said:

Canada, like the other British possessions, played such a big part in the war that she has in consequence entered the partnership of nations, and has affixed her signature to the peace treaties. This means that the old idea of an Empire consisting of a Mother Country surrounded by daughter states is entirely obsolete, and has long been left behind by the British Empire. (*Ottawa Journal*, 11 Nov., 1919.)

The Dominions are no longer Colonies; they are sister nations of the British nation. (*Ottawa Journal*, 24 Nov., 1919.)

His Royal Highness, upon his return to England, said:

In the first place, I have come back with a much clearer idea of what is meant by the British Empire, or, as it is often more appropriately called, the British Commonwealth. The old idea of Empire handed down from Greece and Rome was that of a Mother Country surrounded by daughter States which owed allegiance to her. Now, we Britishers have left that obsolete idea behind a long time ago. Our Empire implies a partnership of free nations, nations living under the same system of law, pursuing the same democratic aims, and actuated by the same human ideals. The British Empire is thus something far grander than an Empire in the old sense of the term, and its younger nations—Canada, Australia, New Zealand, South Africa and India—are now universally recognized as nations by the fact that they are signatories to the Peace Treaties which they fought so magnificently to secure. (*The Times*, 19 Dec. 1919).

Lord Milner, the Secretary of State for the Colonies, has recently said that

The only possibility of a continuance of the British Empire is on a basis of absolute out-and-out partnership between the United Kingdom and the Dominions. I say that, without any kind of reservation whatever. (H. Duncan Hall, *The British Commonwealth of Nations*, p. 197.)

There is no kind of authority which in practice (whatever may be the theory of the Constitution) the Parliament and people of the United Kingdom claim any longer to exercise over the Parliaments and peoples of the self-governing Dominions. We frankly accept the position that we are partner-nations of equal status. (*House of Lords*, 17 June, 1920.)

The Peace Treaty recently made in Paris was signed on behalf of the British Empire by Ministers of the self-governing Dominions as well as by British Ministers. They are all equally plenipotentiaries of His Majesty the King, who was the "High Contracting Party" for the whole Empire. This procedure illustrates the new constitution of the Empire, which has been gradually growing up for many years past. The United Kingdom and the Dominions are partner nations; not yet, indeed, of equal power, but for good and all of equal status.

Col. Amery, the Parliamentary Under-Secretary of State for the Colonies, has said:

We have got to decentralize our conception of Empire, and realize that each member of the British Commonwealth is equal in status to every other, and, from its own point of view, the centre of the whole. (*Toronto Globe*, 5 June, 1919.)

Col. Amery, when referring to the visit to Canada of the Prince of Wales, said that

He spoke of the Empire, with an unerring grasp of the new conception of it, as a Commonwealth of free, equal partners, with no vestige of insular perspective. (*Toronto Globe*, 19 Oct., 1920.)

Mr. Lloyd George has said:

Finally, I would point to the status which South Africa now occupies in the world. It is surely no mean one. The South African people control their own national destiny in the fullest sense. (*Round Table*, Dec. 1919, p. 190.)

It is the most remarkable Empire the world has ever seen—mighty, powerful, but loosely knit, no dominion but Dominions, no centre from which dominion is exercised, from which you control and from which you direct, but a combination in partnership of free nations, controlling themselves, free to choose their own path, free to choose their own populations, free to make their own history. (*The Times*, 8 Dec., 1920.)

Mr. Hughes, the Prime Minister of Australia, has said of the Dominions that

They are now nations entitled to all the privileges, and burdened with all the responsibilities of nationhood. This recognition by the world was of tremendous importance in Australia. The principle has been definitely and firmly established that the Dominions had now earned their place among the other nations of the earth. (*The Times*, 2 July, 1919.)

General Botha, referring to the Peace Conference, has said:

We have earned the right by our sacrifices and efforts in this great war to a place in the family of nations. (*Associated Press despatch*, 21 Jan., 1919.) This is the first time in the history of South Africa that she has been recognized in the nations of the world as an independent nation. We have been placed on the same footing as Belgium, Greece, and the other smaller nations. (*The Times*, 28 July, 1919.)

General Smuts has said:

We have received a position of absolute equality of freedom, not only among the other States of the Empire, but among other nations of the world. . . . As a result of the conference in Paris, the Dominions in future would, in regard to foreign affairs, deal through their own representatives. The Dominions of the Empire would in future, therefore, stand on a basis of absolute

equality. Constitutionally, the Union Parliament is the legislative power for the Union, and the doctrine that the British Parliament is the sovereign legislative power for the Empire no longer holds good. (*The Times*, 28 July, 1919.)

A speech of General Smuts in the Assembly of South Africa was summarized by the correspondent of the London *Times* as follows:

General Smuts indicated various anomalies arising from the new status of the Dominions, and said that a constitutional conference was absolutely necessary to clear up the position. He instanced the anomalies that the Dominions were still conducting correspondence with the British Government through the Colonial Office; also the position of the Governor-General, who should be the representative of the King and nothing else, but who still represented in some vague, obscure way, the British Colonial Office. A much more serious anomaly was our foreign relations, which were still conducted by the British Ambassadors, though the Canadian representation at Washington was significant of the great change that was coming. Next year's Imperial Conference would probably become the greatest landmark in the history of the Empire. He undertook that Parliament should be given the fullest opportunity of discussing it before the South African delegates left for the Conference.

Proceeding, General Smuts contested the Nationalist assertions that Lord Milner's speech necessarily meant that the Empire could only speak with one voice by smothering the voice of the dissentient minority by a majority resolution. "We are not," said General Smuts, "going to be coerced by the majority. If a common organ is going to be established, no resolutions should be taken without the unanimous agreement of all parts of the Empire. Let us look upon that as bedrock." General Smuts believed that the other Dominion Governments and the British held the same view. If no agreement was reached, they must agree to differ. (*The Times*, 26 June, 1920.)

In a conversation with Dr. Miller, Principal of Ridley College, St. Catharines, General Smuts, in explanation of his expression "The British Empire came to an end in August, 1914," said:

From unavoidable causes, Great Britain, on being suddenly thrust into the late war, was unable to consult the Dominions. She went in on the faith that they would not fail her, and trusted to their coming to her aid. But I do not think that it can happen again. The self-governing Dominions in future must exercise the right to say whether, after full deliberation, they will join in a war in which any portion of the British Empire may be engaged. (*The Times*, 2 Dec., 1920.)

Mr. Rowell has said:

Great Britain recognized that with the growth in power and influence of the Dominions, the time has come when the Government of Great Britain should frankly recognize that the Dominions had ceased to be in any sense dependent upon the Mother Country, and had become sister nations, standing on an equality with the Mother Country.* (*Hansard*, 11 March, 1920).

*Mr. Rowell has referred to South Africa as "a self-governing sovereign state within the Empire." (Ottawa, 12 Feb. 1921.)

As illustrative of Canada's equality of status with the United Kingdom, Mr. Rowell quoted, with approval, from General Smuts the following:

The King is not going to be influenced by the ratification given by the British House of Commons, and therefore the position is this, that until we have given the ratification which is necessary, we are, so far as the British Empire is concerned, hanging up this final exchange which is necessary before this Treaty is brought into force.

The British Dominions did not fight for status. They went to war from a sense of duty, from their common interests with the rest of the world, vindicating the great principles of free human government. Not only has victory been achieved for the objects for which they fought, but, what for the British Dominions is equally precious, they have achieved international recognition of their status among the nations of the world.

It took some time for the position to be realized at Paris, because so many of the Powers were under the same impression which, according to the debate in the House that afternoon, appeared to exist in South Africa, viz., that everything seemed to be under tutelage of the British Parliament and Government. They could not realize the new situation arising; and that the British Empire, instead of being one central government, consisted of a league of free states, free, equal, and working together for the great ideals of human government. It was difficult to make people realize this, but afterwards they fully applauded, and their approval was given as embodied in this international document. (*Hansard*, 11 March, 1920.)

The official Report of the War Cabinet of the United Kingdom for 1918 contains the following:

The common effort and sacrifice in the war have inevitably led to the recognition of an equality of status between the responsible Governments of the Empire. This equality has long been acknowledged in principle, and found its adequate expression in 1917 in the creation, or rather the coming into being, of an Imperial War Cabinet as an instrument for evolving a common Imperial policy in the conduct of the war. (Page 7.)

Sir Robert Borden, in a speech quoted in the Official Report of the War Cabinet, said:

But we have always lacked the full status of nationhood, because you exercised here a so-called trusteeship, under which you undertook to deal with foreign relations on our behalf, and sometimes without consulting us very much. Well, that day has gone by. (Page 8.)

Sir Robert Borden, referring to his attitude at the Peace Conference, said:

On behalf of my country, I stood firmly upon this solid ground; that in this, the greatest of all wars, in which the world's liberty, the world's justice, in

short the world's future destiny were at stake, Canada has led the democracies of both the American continents. Her resolve has given inspiration, her sacrifices been conspicuous, her effort was unabated to the end. The same indomitable spirit which made her capable of that effort, and sacrifice, made her equally incapable of accepting at the Peace Conference, in the League of Nations, or elsewhere, a status inferior to that accorded to nations less advanced in their development, less amply endowed with wealth, resources and population, no more complete in their sovereignty, and far less conspicuous in their sacrifices. (*Hansard*, 2 Sept., 1919.)

Perhaps the most notable of the occurrences which induced the adoption of the language above quoted is the treaty by which the United Kingdom promised to support France in the event of subsequent war, but which provided that the Dominions were not to be similarly obligated unless they themselves so agreed. Referring to that treaty, *The Ottawa Journal* said (5 June, 1919):

The above illustrates the absolute and final recognition by the United Kingdom of the complete autonomy of the self-governing British countries. No longer is it true to say, what until this week was true, in words famous in our Parliament, "When England is at war, Canada is at war." An agreement framed by British statesmen lays down the principle that although England should go to war in a just cause, neither Canada nor Australia nor South Africa has any obligations in the matter except as the respective parliaments of the overseas Dominions shall decide, each for itself.

It is to be feared, however, that our people do not as yet realize that they have ceased to be colonials, that their country is an independent sovereignty. They have, indeed, become well accustomed to the language of independence, and that is a great deal. At no distant day, when language has been converted into reality, they will be proud of the fact.

November, 1919.

Lord Jellicoe's Visit.

The visit of Lord Jellicoe will assuredly produce a foolish and effusive laudation of the services said to have been rendered to Canada by the British navy; and once more, therefore, is it necessary to state the truth. For the indisputable fact is that there have been only two occasions on which the services of the British navy would have been useful to us, and upon each of these, although we were undoubtedly right in our dispute with the country involved, and although the British government so declared, the navy, instead of helping us, took action against us.

The Newfoundland Case—The first occasion arose in connection with the French claims on the Newfoundland coast. By treaty, the French had a right to take "fish" on what was called "the French shore" (over 500 miles of coast line); and they had a right, during "the time necessary" for that purpose, to dry and cure their "fish" on shore, but It shall not be lawful for the subjects of France to erect any buildings there, besides stages made of boards and huts necessary and usual for the drying of fish.

Based upon nothing but this treaty, the French claimed (1) a right to take lobsters—calling them fish; (2) a right to exclude British subjects from engaging in like work; (3) a right to erect, not merely "stages" and "huts," but factories equipped with machinery for the canning of lobsters; and (4) a right to exclude British subjects from any part of the French coast, upon the ground, that, conceivably, some French citizen might wish, at some future time, to occupy the same spot.

Although the British government had no difficulty in declaring that these claims were inadmissible, and that the last of them (the one with which I am now going to deal) was especially absurd, yet in 1890, it agreed upon a *modus vivendi*, under which (with a reservation of principle), the French were permitted to erect factories, and British subjects were placed under limitations.

Prior to that time, French naval captains had been accustomed to insist forcibly upon the recognition of the rightfulness of the French claims, and the British commanders had co-operated with them, even to the extent of requiring Newfoundlanders to pull down their factories. After the *modus vivendi* had been agreed to, Admiral Sir Baldwin Walker of the British fleet continued to assist the French in their suppression of the Newfoundlanders, but this time the Admiral met in Baird (the owner of one of the factories) a man who in order to test the validity of the operations, instituted an action at law against him. In his defence, the Admiral pleaded the *modus vivendi*, and declared that the destruction complained of

had been approved and confirmed by Her Majesty as such act and matter of state, and as being in accordance with the instructions of Her Majesty's Government.

There was, in the defence, no pretense that French treaty rights required the destruction of Mr. Baird's property. No such assertion could have been made. The only defence was that the British government had made an agreement with the French government for the diminution of the rights of British subjects, and that Her Majesty had

approved what had been done. The Privy Council had, of course, no difficulty in declaring that neither the King nor the British government had power to authorize the destruction of the property of a British subject. Mr. Baird succeeded in his action and was paid his damages. The case is reported in the English Law Reports, 1892, A.C., p. 491. Have I established by first point? The whole of the story is told in *Kingdom Paper No. 14*.

The Behring Sea Case—The second of the occasions above referred to arose in connection with the assertion by the United States of an exclusive right to take seals in the open ocean. They said that as the seals were born on American territory, and returned there once a year, they were American property. The claim was, of course, palpably absurd and the arbitrators to whom the controversy was finally sent, proceeded upon that basis. Nevertheless during the years 1886, 1887, and 1889, United States cruisers swept Canadian sealing vessels from the ocean; took the captains and crews to Sitka; imprisoned some of them, and left the others to find their way to San Francisco as best they could, while the British navy bobbed unconcernedly in the shelter of Esquimalt harbor. During these depredations, the Canadian government pressed, appealed, and remonstrated with the British government in vain, while Lord Salisbury allowed himself to be cajoled and snubbed by the United States Secretary of State. To the British government, the seizures, the fines, and the imprisonments were nothing but regrettable incidents.

In 1891, the American government requested that, during negotiations, the Canadians should cease their operations. Lord Salisbury was willing but Canada refused. And thereupon the British parliament passed a statute providing that the Queen might

by Order-in-Council prohibit the catching of seals by British ships in Behring Seas, or such part thereof as is defined by the said Order during the period limited by the Order.

Supporting this bill, the leader of the House of Commons said:

I do not urge the House to accept the Bill on the ground of absolute right or justice, but on the ground that it is a friendly act towards a friendly power.

Friendship with the United States outweighed justice for Canada—as usual. The Order-in-Council having been issued, the British navy at last cleared its decks for action. The Canadian sealers went to their work, and the British navy co-operated against them with the United

States cruisers. Have I established my second case? The whole story is told in *Kingdom Paper No. 13*.

The Silent Protector—We shall be told, however, that, potentially, the British navy has been Canada's only protection from invasion by the great Powers. If that be true, what is it that protects (for example) Uruguay—with a population of a million, a peace army of 4,000, and no navy? What is it that protects Costa Rica—with a population of less than 400,000? What is it that protects every state from Mexico to Cape Horn? I know your answer—the Munroe doctrine. Very well, then it is not the British navy.

"No. But are we to depend for protection upon the United States?" In reply—please observe, first, that you have abandoned your position that our safety depends upon the British navy; and then consider this Munroe doctrine a little. It is wrongly named. It should be called the Canning policy, for it was with the greatest difficulty that the British statesman prevailed upon the American President to adopt, as his own, the policy in which the United Kingdom had such supreme interest. The whole story is told in *No. 16 of the Kingdom Papers*.

If neither Canning nor Munroe had ever lived, community of American interest would have produced the same result. Early in the 1860's, pending a boundary dispute between Chile, Peru, and Bolivia, Spain sent a fleet to enforce certain claims against Peru, going so far as to assert a right to regain possession of her former colony. The effect was immediate—local difficulties were forgotten.

The outbreak of hostilities between Spain and Peru caused the President (of Chile) to imagine that if Spain were victorious, the Spaniards would endeavour to regain control of South America and in 1865 these four South American republics (Chile, Peru, Bolivia, and Ecuador) were united against such power as Spain could send across the seas to attack them. (Akers *A History of South America*, p. 326. And see p. 507.)

Community of interest has been forming such alliances ever since the world began. Monroe did not see that the United States had an interest in the sovereignties of South America until educated to the idea by Canning. Everybody sees it now. And there is no humiliation in the fact that Canada and the United States have absolute identity of interest with reference to European or Asiatic invasion of this continent. That identity of interest makes invasion impossible. The United States will never need to help us, nor shall we have any occasion to help

the United States. Nobody, while our interests remain identical (that is probably forever) will be foolish enough to attempt the utterly impracticable.

And I will add that if Canada had to depend upon either the United Kingdom or the United States, I should choose our neighbor. For the reason that community of interests secures fulfilment of expectations, whereas diversity produces disappointments.

November, 1919.

Lord Jellicoe's Visit.—II.

For her naval defense, Canada must choose between two irreconcilable policies:

- (1) A Canadian navy under Canadian pay and Canadian control.
- (2) Adjunct ships for the British navy under Canadian pay and British control.

And for the adoption of one line of policy or the other, Canadians need no outside advice. Were we to consult anybody about it, we would not go to a British admiral. We know what he would say.

A Canadian Navy—We would not ask a British admiral to advise us even as to the character of a Canadian navy. He would regard the subject from the point of view of British interests. We should think of our own. He would count upon Japanese friendship. We should discount it heavily. He would assume that the view of British subjects and Canadian citizens would always harmonize. We should remember the past. He would assume that, in the event of war, the British navy would be engaged in supporting Canadian interests. We are not sure that it would not be fighting on the side of our opponents. We remember our experiences in Newfoundland and Behring Seas—as related above.

The Japanese—We know of other incidents, too. For example, the British government has always been opposed to our limitations of Japanese immigration. And while the United States may be safely counted upon to concur with us in the policy of exclusion, we may be sure that the British fleet will never support us in that respect.

"One cannot help remembering," says a writer in the *Fortnightly Review* of last October (p. 589), "that it was during the stress of war, when Australia

had sent most of her able-bodied men abroad, that she received an invitation from Mr. Harcourt, then Colonial Secretary, that a relaxation of her immigration laws would be welcomed. It is not hard to guess the quarter from which the original pressure came.

One cannot help remembering, too, what happened at the Peace Conference with reference to the Japanese demand for recognition of racial equality. Abstractly, of course, no one would object to such a claim coming from any race whatever, just as no one would oppose himself to the language of the United States constitution declaring that all men are equal. But the Japanese proposal carried with it a very definite political purpose, and it was upon that ground that the United States and the Dominions objected to it.

"What has caused some disquietude in the Dominions," says the above quoted writer, (p. 585), "is the lukewarmness of the support they have received from the British Government in their resistance to the motion. There are good reasons, of course, why Britain should not offend Japan; but, still it is a pity that British statesmen have not realized how important this question is to the Dominions."

It is a pity, no doubt, but the failure is due to the fact that the British people are human beings and regard things from the standpoint of their own interests. We shall be fools if we ever forget that. The Japanese are, to us, our only menace. To the United Kingdom, they are trusted allies. And that, too, we must not forget.

The Bait Question and France—French and American fishermen had certain rights of fishing on the Newfoundland coasts but they had no facilities for obtaining bait. Without bait they could do little, and in the course of the ensuing quarrels, the Newfoundland government proposed to stop the supply. Of the right to cease selling bait to anybody, there was, of course, no question; but the British government intervened, saying to the Newfoundlanders, (27 April 1886):

That Her Majesty's Government not only on former occasions, but quite recently, had expressed its inability to sanction any measure prohibiting the sale of bait to the French, and there was not the least probability of this determination being in any way modified. That apart from the unfriendliness of any other course with regard to a nation with which we were on terms of amity, this policy was clearly the wisest, even in the interests of Newfoundland itself.

Judgment depends, very largely, upon point of view. A later Colonial Secretary recognized that the British government was entirely wrong, and directed that the proposed legislation should receive the Royal assent. It did.

The Bait Act and the United States—Simultaneously with the appearance of difficulty with France (by the treaty of 8 April, 1904), dispute arose with the United States with reference to the same subject. The Bait Act had prohibited the selling of bait to foreign fishermen, but the Americans evaded the statute by employing Newfoundland fishermen to fish for bait for them. The statute prevented Newfoundland fishermen selling bait, but did not prevent them selling their services. To remedy this defect, the Newfoundland legislature passed the Foreign Fishing Vessels Act of 1905 and 1906. Determined to thwart the proposals of the Newfoundland government, the British Foreign Secretary agreed to a *modus vivendi* (6 October, 1906) with the United States, containing a provision that the Foreign Fishing Acts should not be put into force. That produced direct conflict between the two governments; but Newfoundland did not flinch, and, on the 26th October, the Governor reported to the Colonial Secretary that his ministry had decided

to test the question as to whether the *modus vivendi* can over-ride existing legislation of the Colony, by taking legal proceedings against colonial fishermen who have engaged themselves and proceeded in violation of the law to prosecute the herring fishery.

Then the British government had recourse to a weapon useful on such occasions: "If you do not act as we think proper, we will leave you to fight the matter out as best you can." The Colonial Secretary said (9 November):

With full knowledge of these facts your Ministers have deliberately decided to take action which may immeasurably increase the difficulty of the task which Newfoundland has imposed upon Great Britain. In these circumstances I have to inform your Ministers that, in endeavoring to frustrate the purely temporary measures which His Majesty's Government consider most likely to lead to a successful termination of the negotiations with the United States, they incur a grave responsibility which His Majesty's Government decline to share. His Majesty's Government will endeavor in the future, as in the past, to defend the claims of Newfoundland under the treaty of 1818 to the best of their ability, but if the difficulties in their way become increased, your Ministers must bear the blame.

Nothing daunted, the Newfoundland government proceeded with their proposed prosecutions. They arrested two of the fishermen, Crane and Dubois (12 November) and brought them before a magistrate, who fined them five hundred dollars each. The case having been appealed to the Supreme Court, the decision was affirmed, and, somewhat surprisingly, *no contention was made that the modus vivendi had any legal*

validity. The only point discussed was as to the meaning of some words in the local statutes. No appeal was taken to the Privy Council. The British government paid the fines and the costs.

During the next season, the British government proposed that the *modus vivendi* should be operative. To this the Newfoundland government replied (2 August, 1907):

They cannot be consenting parties to any limitation, suspension, or abrogation of Colonial laws in favor of American citizens. They strongly object to continuance of 1906 *modus vivendi*, and consider that they, and not American government, are the best judges as to whether last year's *modus vivendi* can be continued without causing hardship to the Colony.

The government suggested that any point in dispute might be referred, by way of arbitration, to the Hague Tribunal. Once more, the United Kingdom endeavored to frighten its colony by requesting (3 September) to be informed whether the Newfoundland government

in the event of negotiations for a *modus vivendi* breaking down, would be prepared to indemnify His Majesty's Government against any claims for compensation that might be preferred by the United States Government, and which it might not be possible, consistent with a fair interpretation of treaty rights, to avoid; also, whether in the event of a reference to arbitration becoming, in the opinion of His Majesty's Government, necessary or desirable, this government would agree to such reference and undertake to meet the expenses of arbitration and pay the award, if any.

The Newfoundland government steadfastly maintained its rights; and, as might have been expected, the British and American governments commenced negotiations which eventually led to the submission of the dispute to the Hague Tribunal. The costs were shared by Canada, Newfoundland, and the United Kingdom. Nobody, during the discussion, was sufficiently courageous to suggest that the Newfoundland legislature was not acting within its jurisdiction in passing the statutes prohibiting the sale of bait.

The British Navy—While the British and Newfoundland governments were at odds with reference to the *modus vivendi*, and after Crane and Dubois had been arrested and fined, the British senior naval officer, Captain Anstruther, took his ship among the fishermen, and (10 October) invited the most influential of the Newfoundland fishermen aboard his ship, read to them the *modus vivendi*, and entered into negotiations with the commander of the United States *Potomac*. In this way, as he said, he "arrived at a working arrangement." This unwarranted, but by no means unprecedented, intervention of a British naval

officer in a matter with which he had properly nothing to do, brought from Sir Robert Bond, the Premier of Newfoundland, the following protest:

The subjects of His Majesty have rarely had forced upon them greater humiliation. The process of humiliation could scarcely have been forced to a greater extreme than when the law respecting people of this colony, men who looked up to the flag that floats over them as the symbol of greatness, majesty, power, and justice, were compelled to witness foreign agents entering the coves, creeks and harbors of this colony, collecting together the lawless ones to bid defiance to the laws of this colony, under the protection of H.M.S. Brilliant.

I repeat that Canadians cannot be sure, in case of future trouble—with the Japanese or others—that the British navy will not be fighting on the side of our opponents.

November, 1919.

Lord Jellicoe's Visit.—III.

Among the various objectives which we were supposed to have had in view as we plodded through the strenuous years of the war, was the peace which afterwards we were uninterruptedly to enjoy—

It is war for the end of war,
Fighting that fighting may cease.
Why do the cannons roar?
For the thousand years of peace.

When, in November 1917, Lord Lansdowne was proposing that an effort to end the war by negotiation should be made, he warned us of the social effect of further prolongation of hostilities. He said:

We are not going to lose this war, but its prolongation will spell ruin for the civilized world, and an infinite addition to the load of human suffering which already weighs upon it. Security will be invaluable to a world which has the vitality to profit by it, but what will be the value of the blessings of peace to nations so exhausted that they can scarcely stretch out a hand with which to grasp them.

He strongly urged the termination of the war "in time to avert a world-wide catastrophe." The war proceeded. We are now in the midst of the catastrophe; and preparation for war, we are told, must be more diligently pursued than ever before. Lord Jellicoe said to New Zealanders:

There has been a tendency among various people since peace was proclaimed to think that there is no hurry about getting ready for the next war.

People argue that the world is exhausted and that it will be twenty, thirty or fifty years before the next war, if ever there is a next war. Well, the lesson of history is that one war breeds another. I see no indication that we are done with war.

Expenditure upon the British Navy, prior to the war was a little over 250 million dollars per annum. The estimates presented the other day rise to more than 785 millions.

The Jellicoe Proposal—While Lord Jellicoe constantly asserts that his visits to the Dominions are merely for the purpose of giving advice upon such points as may be submitted to him, there can be no doubt that all that he says is based upon the assumption that Canada will adopt the second of the only two alternative policies open to her, namely:

(1) A Canadian navy, under Canadian pay and Canadian control; or

(2) Adjunct ships for the British navy, under Canadian pay and British control.

In his Ottawa speech, Lord Jellicoe told us that in the South Atlantic and Pacific oceans, the British fleet, prior to the war, consisted of only 1 battleship, 1 cruiser, and 10 light cruisers, and that, in addition, there was only 1 cruiser in the Indian ocean. He might have added that the battleship was the *Australia*; that it was where it was most needed only because its owner (the Commonwealth) had refused to sanction its removal by the Admiralty; and that there would have been two battleships to attend to German cruisers if the agreement under which New Zealand made its contribution had been adhered to by the Admiralty.

The war being over, and our enjoyment of the thousand years of peace about to begin, Lord Jellicoe proposes that there should be a "Far-Eastern fleet" of at least 8 modern battleships; 8 modern battle cruisers; 10 light cruisers; 40 destroyers; and 36 submarines. He proposes that the United Kingdom, Australia, and New Zealand should contribute their quota for the formation of the fleet, and he estimates that the initial cost of maintenance would be (roughly) 96 million dollars. Of this amount, he would allocate to Australia 20 million dollars per annum, rising, as the necessities increase, to 30 millions in 1927.

Canada, having frontages on both the Atlantic and the Pacific, Lord Jellicoe evidently proposes that she shall contribute both to the

Far-Eastern fleet and to the Atlantic fleet). He has not as yet indicated the amounts which he would assess upon Canada in respect of these two fleets; but if he bases our contribution upon the relation of our population to that of Australia, our annual quota will be (roughly) 32 million dollars, rising, as the necessities increase, to 48 millions in 1927.

Jellicoe Insurance—As far as I have been able to see, the only argument which Lord Jellicoe has advanced in support of his proposals is framed in this way:

People say the opportunities of war in the future are very remote. That may be true. At the same time every man in this great audience will say that the chance of fire in his own house is remote, yet I will guarantee that 90 per cent. of your houses are insured against fire.

This argument makes an overwhelmingly strong case against the Admiral's proposal. Holding that Canada ought to keep its liability to war tied to the fortunes of the United Kingdom, he tells us, that as insurance against war, we ought to subscribe heavily to the support of the British navy. Had he thought for a moment, he would have observed that action of that sort is not insuring against war, but is rendering almost certain that Canada will be a participator in the next war, no matter where it happens or upon what account. A detached house, in a reasonably safe area, can be insured for very little more than a nominal premium. If the house be attached to another—and, more particularly, if that other be constructed of inflammable material—the premium rises very considerably; and if the house be in the centre of a row—hazardous risks upon both sides of it—the rate of premium will be found in the extra-hazardous column.

If Canada desires to be immune from war—or, indeed, to have a reasonable chance of escape from engulfment in the next war—she ought to remain detached. If she is associated with the United Kingdom, and if the United Kingdom remains associated, as she now is, with Japan in Asia and France in Europe, and weighted with commitments in various other parts of the world, Canada's risk of war, instead of being almost negligible, becomes as hazardous as that of the United Kingdom itself. Lord Jellicoe's recommendation, therefore, really amounts to this: That having determined to keep ourselves free from the ravages of war in the future, we ought to pay enormous annual premiums in order to make reasonably certain that Canada shall be in the next war, no matter when or where it happens.

If any further remark be needed for condemnation of Lord Jellicoe's proposal, take this: That over none of the foreign policies which

will sweep us into the next war, shall we have any control. We shall be an adjunct, and shall play the part of an adjunct.

If anything further be necessary, take this: That we do not know whether in the next war the British navy will be helping us, or co-operating with our opponents—as on former occasions.

Is it any wonder that the British government wants to make a bargain of the Jellicoe sort with us?

December, 1919.

Lord Jellicoe's Visit.—IV.

Canadians must begin the serious study of this navy question, for we are in the greatest danger of slipping into the second of the only two alternatives open to us:

(1) A Canadian navy, under Canadian pay, and Canadian control.

(2) Adjunct ships for the British navy, under Canadian pay, and British control.

The following historical *resumé* will afford some basis for thought. It will demonstrate that to bring Lord Jellicoe to Canada was to commence at the wrong end of the problem. We must first fix our political status. When that is done, the greater part of the difficulty as to a naval policy will have disappeared.

No Cash Contributions—In 1909, after the absurd "German scare" had been fermenting for about two weeks, Sir George Foster, in supporting a patriotic motion, condemned cash-contributions to the British navy. He said:

It bears the aspect of hiring somebody else to do what we ourselves ought to do. The interest that we take in a contribution spent by another is not the interest that I desire for Canada. I want to see something grafted on the soil of Canada's nationhood, which takes root and grows and develops until it incites the spirit of defence in this country, leads to a participation in defence, leads to that quick interest in it, its glories, its duties and its accomplished work, which is, after all, the one great thing that compensates a people for great expenditures either on land or on sea in the way of defence and of the maintenance of the rights of the country.

Then, again, I think that method *ignores the necessities and the aspirations and the prospects of a great people such as the Canadian people are destined to become*. We must have beginnings; these must be first small; but some time, or other, as I have said, our country will have its great naval force for the defence of this country if for nothing else.

No one dissented from this view. Sir Wilfrid, of course, sympathized with it, and Sir Robert Borden spoke as follows:

... now the right hon. gentleman has spoken of the relations of Canada, to the Empire, and I for one am prepared to go as far as he is, as far as any hon. gentleman in this House, *in absolutely maintaining in this country of ours the full control of our own affairs*, which we have enjoyed for many years in the past. I do not think there is any difference of opinion between the two political parties in Canada in that respect.

In so far as my right hon. friend the Prime Minister to-day outlined the lines of naval defence of this country I am entirely at one with him. I am entirely of opinion, in the first place, that the proper line upon which we should proceed in that regard is *the line of having a Canadian naval force of our own*. I entirely believe that.

The debate ended in the passage of a unanimous resolution, one clause of which was as follows:

The House is of opinion that under the present constitutional relations between the mother country and the self-governing dominions, the payment of regular and periodical contributions to the imperial treasury for naval and military purposes would not, as far as Canada is concerned, be the most satisfactory solution of the question of defence.

Imperial Conference, 1909—In the autumn of the same year, at a special Imperial Conference held in London, arrangements were made for the construction of Dominion warships, under regulations among which were the following:

1. The naval services and forces of the Dominions of Canada and Australia will be exclusively under the control of their respective governments.

3. The ships of each Dominion naval force will hoist at the stern the white ensign as the symbol of the authority of the Crown, and at the jack-staff the distinctive flag of the Dominion.

16. In time of war, when the naval service of a Dominion, or any part thereof, has been put at the disposal of the Imperial government by the Dominion authorities, the ships will form an integral part of the British fleet, and will remain under the control of the Admiralty during the continuance of the war.

The Navy Bill—In pursuance of this arrangement, Sir Wilfrid Laurier, in the session of 1909-10, introduced a bill for the construction of a navy, one clause of which was as follows:

23. In case of an emergency the Governor in Council may place at the disposal of His Majesty, for general service in the royal navy, the naval service or any part thereof, any ships or vessels of the naval service, and the officers and seamen serving in such ships or vessels, or any officers or seamen belonging to the naval service.

Objecting to the merely permissive character of this clause, Sir Robert Borden moved a resolution declaring that:

The proposals of the government do not follow the suggestions and recommendations of the Admiralty and, *in so far as they empower the government to withhold the naval forces of Canada from those of the Empire in time of war, are ill-advised and dangerous.*

That no permanent policy should be entered upon involving large expenditure of this character until it has been submitted to the people and has received their approval.

Mr. Doherty—Notwithstanding opposition, the bill became law, and still remains on the statute book. During the debate, Mr. Doherty made use of language which ought to be laid to heart by every Canadian:

What I desire to do is simply to make clear that the finding of a way by which we may have a voice, and a real voice, in the control of the foreign policy of the Empire, is *an essential condition precedent to our embarking upon a permanent policy in the maintenance of naval forces*, that that is an essential condition precedent, if our autonomy, to which the right hon. gentleman attaches such great importance, and to which I may say he does not attach one whit greater importance than I do, is to be maintained.

What I desire to point out is that, under our constitution, there is no obligation on the part of Canada, legally or constitutionally speaking, to contribute to the naval forces of the Empire, and that position will continue to exist so long as the United Kingdom alone has exclusive control of the foreign affairs of the Empire.

If we are to have our autonomy, it seems to me that not only the control of our own internal affairs must be our own, not only must we keep it in our hands, not only must we retain for ourselves the administration and direction of the affairs of this our country, our particular portion of the Empire to which that country belongs, but *we must retain for ourselves and for our nation the right to claim that her soul is her own, that her conscience is her own* And there is no question which can present itself for solution to a nation that more closely and immediately touches its conscience than the question of when, and why, and against whom, her armed force is to be used And I say that it is for those who present this duty to us for our fulfillment, to suggest and present, at the same time, a plan and a means by which we be enabled to fulfil the duty that goes with it.

I say that until the plan has been found, and presented and adopted, we are failing in our most imperious duty, from the point of view of the maintenance of the autonomy of this country, in undertaking to commit ourselves to the performance of that other duty involved in the project that is now submitted to us. It is proposed that this country should have no autonomy in its own soul. It is a poor man, Mr. Speaker, that cannot call his soul his own. It seems to me that with all her wealth, Canada will be a poor country indeed if she is not allowed to call her soul her own. I am not saying

this by way of trying to raise an insuperable obstacle in the way of the performance of this other duty So I say that *we should not enter upon a course which means participation in the naval wars of the Empire without first seeing to it that the means are provided for the performance of our part of this other duty from which, to my mind, it is absolutely inseparable.*

Sir Robert Borden—In the course of debate during the next session, Sir Robert Borden said:

I think the question of Canada's co-operation upon a permanent basis in imperial defence involves very large and wide considerations. If Canada and the other Dominions of the Empire are to take their part as nations of the Empire as a whole, shall it be that we, contributing to that defence of the whole Empire, shall have absolutely, as citizens of this country, no voice whatever in the councils of the Empire touching the issues of peace or war throughout the Empire? I do not think that such would be a tolerable condition, I do not believe the people of Canada would for one moment submit to such a condition Regard must be had to these far-reaching considerations. *A permanent policy would have to be worked out, and when that permanent policy has been worked out and explained to the people of Canada, to every citizen in this country, then it would be the duty of any government to go to the people of Canada to receive their mandate and accept and act upon their approval or disapproval of that policy.*

Sir Wilfrid Laurier—Replying to Sir Robert, Sir Wilfrid said:

There are many reasons why for my part I could not agree to this motion, but the one reason which is germane to the present discussion is—and I alluded to it the other evening—that *it was drawing immediately this young nation into the military and naval system of Great Britain, and, for reasons which I shall state later on, I thought that should not be done.*

I am happy to say that upon this very question, if defence I needed, but defence I need not, I have my defence in the words coming from the lips of the leader of the opposition, that under present circumstances *it is not advisable for Canada to mix in the armaments of the Empire but that we should stand on our own policy of being masters in our own house, of having a policy for our own purpose, and leaving to the Canadian parliament, to the Canadian government, and to the Canadian people to take part in these wars in which to-day they have no voice, only if they think fit to do so.* This is the policy which we have presented.

Sir Robert Borden—The general election of September, 1911, having placed Sir Robert Borden in power, he made, during the ensuing session a most important declaration:

I am glad to know that my hon. friend has determined that that policy shall only be arrived at after such necessary care and attention as ought to be devoted to the solution of a great problem such as this, because it is a problem as I have said on many a previous occasion in this House that concerns in the most vital, in the closest way, the relations between the self governing Dominions and the mother country.

He said that the government might bring down a policy for the construction of a certain number of small cruisers.

but in doing that we would not be framing the basis of a naval policy that would stand in all the years to come. It is for that reason that we thought the late government were wrong in proposing such a policy, and that they did not go to the very heart of the matter, and that *before we entered into any arrangement of that kind we must know where we were standing within this Empire*. So, we propose that the naval policy of the late government should not be continued, and we do propose before any naval policy is entered upon that some of these matters shall be considered, and *when that policy is brought down it shall be presented to parliament, and the people of this country shall be given an opportunity to pronounce upon it*.

The "Emergency" Contribution—Not being able to proceed with a policy of naval construction, because of his alliance with the Quebec Nationalists, and being pressed, on the other hand, by the imperialists to take some step along the line of assistance to the British Admiralty, Sir Robert hit upon the curious expedient of asserting the existence of an "emergency" which could be adequately dealt with only by the subscription to the Admiralty of \$37,000,000. The proposal was, of course, essentially ridiculous. It was comparable to the hallucination of a man writing to John D. Rockefeller a letter telling him that his life was in danger; that the writer, unfortunately, was not in a position to lend him assistance; but that he had pleasure in enclosing him a check for one hundred dollars. Had there been a real emergency, Sir Robert would have commenced the enrollment of army service men; for that would have been the most fitting preparation for the war which he pretended to anticipate. The emergency being palpably one of mere party political embarrassment in Canada, the Senate determined that, upon the pretence of an emergency, thirty-seven millions ought not to be borrowed from London and sent back as a gift to the same place.

Imperial Conference, 1917—Nothing further was done until the Imperial Conference of 1917, when the following resolution was passed:

4. That the Admiralty be requested to work out immediately after the conclusion of the war what they consider *the most effective scheme of Naval Defence for the Empire*, for the consideration of the several Governments summoned to the Conference, with such recommendations as the Admiralty consider necessary in that respect for the Empire's future security.

Admiralty Proposal—At the Imperial Conference of the following year, the Admiralty presented its proposals, but the Canadian people have not as yet been permitted to see the document. Probably I am not wrong in adopting, with reference to it, the language of the *Winnipeg Free Press* of 24 November last:

The proposition, as might have been expected, was nothing but the old scheme of a centralized navy with certain provisions intended to placate Dominion sentiment. It was proposed that *all the naval forces of the Empire should form one navy under the control of the Imperial naval authority in peace and war*; and that this imperial naval authority should deal with all questions of strategy, administration, appointments, types of ships and expenditure. There was to be uniform discipline and uniform pay as far as possible. The Imperial naval authority should suggest to each partner nation the share which each should take, subject to the approval of the respective parliaments. The ministers of the navy of the self-governing nations should attend as members of the Imperial naval authority *at least once a year*; and should at all times keep in touch with the First Lord of the Admiralty. In each partner nation there was to be a local naval board which would control the local naval establishments such as dockyards and training schools.

Reply of Premiers—The Dominion Premiers declined to agree to these proposals, and replied in a memorandum which is said to have been drawn up by Sir Robert Borden. Part of that memorandum has been given out to the Canadian press. Another part of it—and perhaps all of it that remains undisclosed—appeared in the *Winnipeg Free Press*. Putting both together, the memorandum was, probably, as follows:

The proposals set forth in the Admiralty memorandum for a single navy at all times under a central authority are not considered practicable. Purely from the standpoint of naval strategy the reasons thus put forward for the establishment of a single navy for the Empire under a central naval authority are strong but not unanswerable. The experience gained during this war has shown that in time of war a Dominion navy (*e.g.* that of Australia) can operate with the highest efficiency as part of a united navy under one direction and command established after the outbreak of the war.

It is therefore recognized that the character of construction, armament and equipment, and the methods and principles of training, administration and organization shall proceed upon the same lines in all the navies of the Empire. For this purpose the Dominions would welcome visits from a highly-qualified representative of the Admiralty who, by reason of his ability and experience, would be thoroughly competent to advise the naval authorities of the Dominions. *As naval matters come to be developed upon a considerable scale by the Dominions, it may be necessary hereafter to consider the establishment for war purposes of some supreme naval command and upon which each of the Dominions would be adequately represented.*

Conclusions—These extracts make clear the following:

1. Canada will make no cash contributions to the British navy.
2. Sir Wilfrid insisted that, upon the outbreak of a British war, Canada should have the right to determine whether or not she would

participate in the hostilities. Sir Robert Borden, on the other hand, declared, that proposals for the retention of power

to withhold the naval forces of Canada from those of the Empire in time of war are ill-advised and dangerous.

3. Sir Robert and Mr. Doherty agreed that, before any definite naval policy can be adopted,

we must know where we are standing in this Empire; that that is an essential condition precedent to our embarking upon a permanent policy in the maintenance of naval forces.

4. Notwithstanding these clear and extremely reasonable statements, Sir Robert agreed at the Conference to request the Admiralty to work out . . . what they consider the most effective scheme of naval defence for the Empire, for the consideration, etc.

5. The Dominion Premiers rejected the proposal for control of a combination navy by the Admiralty during peace as well as war; and contended that efficiency might be secured by one direction and command established after the outbreak of the war, thus, inferentially, adopting the policy of Canadian

Adjunct ships for the British navy, under Canadian pay, and British control,

and going far towards settling the question "where we are standing in this Empire."

6. The Canadian request to Lord Jellicoe is to advise as to the character of construction, armament and equipment, and the methods and principles of training, administration and organization.

But nobody imagines that Lord Jellicoe can frame advice of that character until he knows whether Canadian policy is to be

(1) A Canadian navy, under Canadian pay, and Canadian control; or

(2) Adjunct ships for the British navy, under Canadian pay, and British control.

Very clearly, he has been told to proceed upon the basis of the second of these alternatives—that, during peace, Canada may play with her ships as she pleases, but that upon cable advice of war, they are to pass under British control.

7. Sir Robert declared that when a permanent policy had been framed,

it shall be presented to parliament, and the people of this country shall be given an opportunity to pronounce upon it.

That has not been done. Policy has been framed. It is being acted upon. Lord Jellicoe's principal business is not to give the advice in Canada which he could have dictated in ten minutes to a stenographer in London. It is to create an atmosphere favorable to the imperialistic proposals of Canadian adjunct ships for the British navy, under Canadian pay, and British control. Can he do it?

December, 1919.

Lord Jellicoe's Visit.—V.

An Empty Report.—In an article in *The Canadian Nation* of 27 December last, I said that Lord Jellicoe could dictate his report "in ten minutes to a stenographer in London." Having now read the Report, I am prepared to say that any competent subordinate could have written it without dictation of any kind. Indeed, I am willing to go farther and say that the subordinate, without any assistance, could have produced something very much better. For there is hardly anything in it or in its accompanying documents that is of the least service to us; the greater part of it is composed of discursive observations upon subjects about which his opinion was not asked; and the important questions which were put to him he passes in silence.

Platitudinous Pages.—In his covering letter, Lord Jellicoe deals with a number of questions not referred to him, and makes highly platitudinous comments upon them. He tells us that the question of naval defence has been under consideration since 1902; that Canada passed the Naval Service Act in 1910; that our ships were to be styled the "Royal Canadian Navy"; that a great reduction has taken place in the strength of the British Fleet ("This is common knowledge", he says); that the United Kingdom's expenditure is in the nature of insurance on her overseas trade (He gives some figures); that there has been "considerable controversy" in Canada upon the Navy subject; that "a large proportion of the population lives at great distance from the sea", and consequently there will be difficulty in obtaining from them recognition of the necessity for safety on the sea; that "Winnipeg is some 1,125 miles from the Pacific, and about 1,350 miles from the Atlantic;" that "The German menace has now disappeared"; that it has never been possible in any war to obtain "complete command of the sea"; that the United Kingdom had, in the late war, been "compelled to rely to a considerable extent upon the assistance of some of the Allies for the safety of our sea communications abroad"; that the assistance of the United States "was of great help in the institution of the system

of protecting trade by convoy"; that "war experience has also shown that submarines can operate successfully at immense distances from their bases;" that "the growing development of aircraft produces yet another type of attack which must be met by local forces;" that "the naval problem of Canada is complicated by the fact that the two coast lines of the Dominion are separated from each other by some 2,500 miles as the crow flies;" that "first class efficiency in the naval service can only be produced by hard work and continuous training"; that "the question of the organization for training officers and men for any Canadian Naval Force is complicated by the great distances," etc.; that "in all ages it has been accepted as an axiom that no armed force can exist without discipline;" that "it is obviously necessary that the personnel of the navy should be given every consideration and comfort that the conditions of life on board a warship permit;" that "the war has shown the exceeding value of a first rate naval intelligence organization;" that "the subjects of wireless organization and wireless communication are of considerable importance"—"rapid developments are in progress in this branch, and should be closely watched." With such remarks as these, and very little else, except thanks to the Canadians who have rendered him assistance, Lord Jellicoe closes his letter to the Governor General.

Canadian Requirements.—Passing to the subject of "The Naval Requirements of Canada", Lord Jellicoe tells us that:

The question of the naval forces required by Canada may be viewed in two ways; first in the light of Canada's own requirements; and secondly in the broader light of the security and safety of the Empire as a whole.

This distinction is followed by the very noteworthy assertion that:

The naval force suggested as adequate purely for the protection of Canada's ports *under the conditions assumed* comprises:—3 Light Cruisers, 1 Flotilla Leader, 12 Torpedo Craft, 8 Submarines with 1 Parent Ship and certain auxiliary craft for training purposes, etc.

A naval force of this kind, Lord Jellicoe, tells us, can be obtained "on the basis of working up to annual estimates" of between \$5,000,000 and \$10,000,000—an expenditure which will provide for "local defence, and defence of trade in the vicinity of the coast." Lord Jellicoe does not tell us, as he well might, where those ships ought to be stationed—on the Atlantic or on the Pacific.

Imperial Co-operation.—Treating the subject in "the broader light", Lord Jellicoe says that:

If the question of the co-operation of Canada is looked upon in the wider

sense of participating with the United Kingdom and the other Dominions in the naval defence of the whole Empire, it naturally assumes much larger proportions.

Upon this basis, Lord Jellicoe gives us the alternative of working up to an expenditure of \$17,500,000 or \$25,000,000 per annum.

Capital Ships.—Upon the much debated question of capital ships—in view of the development of air, and underwater methods of attack—Lord Jellicoe ought to be able to shed some light. His predilection is for maintenance of the big ships, and his advice is to continue them; but, at the same time, he warns us that:

It behooves us, therefore, to be cautious in accepting the opinion of specialists in any particular arm in this matter which is so vitally important to the Empire.

Administration.—Lord Jellicoe then devotes 12 pages to the subject of "Administration" (about which no question was put to him), telling us, at great length, not merely the Admiralty system but our own—evidently assuming that we know little about either the one or the other. He tells us that for the future we ought to have two Ministers—one for the Navy and one for the Mercantile Marine; that "it will not be possible for one Minister to carry out both duties." He is probably quite unaware how small a portion of our Minister's time is devoted to the mercantile marine. The Deputy—a very efficient officer—is accustomed to carry on the whole work. And there is another excellent Deputy for the naval activities of the Department.

Personnel.—In the succeeding 8 pages, Lord Jellicoe descants upon "Personnel"—impresses upon us (as though we were not well aware of it) the importance of training; deals with the subject of length of service and of pay (about which he was not asked); suggests that:

all the Officers of the Military branch of all the Navies of the Empire should be put on one General List from which they would be promoted to the ranks of Commander and Captain by selection, as is the case in the Royal Navy to-day—

a suggestion based upon the assumption that we are to agree to participate "with the United Kingdom and the other Dominions in the naval defence of the whole Empire"—a subject which, in the earlier part of his Report, was "of course, one for decision by Canada." The same assumption underlies all that is said about training. For example—

The requirements of Imperial Naval Defence demand a uniform system of staff training throughout the navies of the Empire, and it is essential that suitable officers should be selected to undergo training at the Naval Staff College at Greenwich.

What ought to be done in case Canada confines her operations to her "own requirements and . . . safety", the Admiral does not say.

Discipline.—Assuming that we are ignorant as to the value of discipline—too ignorant even to ask him about it—Lord Jellicoe commences his disquisition upon the subject with the sage remark:

In all ages it has been accepted as an axiom that no armed force can exist without discipline.

Not content with his own observations, Lord Jellicoe fills the last 12 pages of his Report with "four separate essays . . . written by experienced officers of different ranks" on the subject. There is nothing in any of them of the least value—nothing but what anybody could frame in fewer pages. Indeed, in one respect—by quotation from Admiral Lord St. Vincent—the teaching is unfortunate and baneful:—

Complacency to your officers is the best principle you can act upon respecting them, taking special care neither to be familiar with them, nor allowing familiarity on their part toward you; the best means of avoiding these evils is, to observe a certain degree of ceremony upon all occasions, which may be done without imposing restraint upon them It is almost universally the custom for the Captain to dine with the Lieutenants once a week. I have never approved of it; but perhaps it will be difficult for you to decline such an invitation without subjecting yourself to the charge of singularity; and perhaps the lesser evil will be in complying with the usual practice, taking care not to be drawn into long sittings for familiar discussions. I am sure you will take this sermon in good part, though it has far exceeded the bounds of my intention.

Militarism.—The pamphlet closes with a dissertation on "Militarism," about which Lord Jellicoe assumed that we needed enlightenment. It is of some service, for it supplies a corrective to Lord St. Vincent's warning against "familiar discussions":—

It is essential that those in authority should be possessed of imagination and sense of humor, more particularly the more senior officers.

I am not quite sure how Lord Jellicoe could arrange that there should be no "familiar discussions" between the captain and his officers, and yet that the captain should maintain his authority by exhibitions of "imagination and sense of humor."

Jellicoe's Omissions.—Among the questions which were put to Lord Jellicoe, and which he has omitted to refer to, are the following:

If Canada does co-operate (in the naval defence of the Empire), do you consider that the first effort should be on the Atlantic or Pacific coasts, or divided between them?

Under such circumstances will you suggest the type of vessels you recommend that Canada should first acquire and maintain.

What are the minimum works necessary on the East and West coast?

i. To maintain the vessels recommended for construction.

ii. To maintain efficient bases for the use of the ships of the Royal Navy.

Do you consider that Halifax is sufficient as a naval base on the East coast?

Do you consider that any ports on the East coast other than Halifax and Quebec should be fortified for naval purposes?

If so, to what extent?

Do you consider that preparations should be made for mining any Canadian ports in case of emergency?

If so, which, and to what extent should preparations be made?

How do you consider the personnel necessary should be raised and trained?

What type of mine is recommended?

Do you consider that permanent aerial forces are necessary for the defence of Canadian coasts?

If so, on what scale?

Where do you consider air stations for naval purposes should be erected?

In the event of the Canadian Government deciding to create a separate Air Force, what method of co-operation between Naval and Air Forces do you recommend with regard to training, discipline, control and operations?

What preparations do you consider should be made against hostile submarines, for use in an emergency?

Do you consider that armament should be maintained in reserve for Canadian Merchant Ships?

If so, what armament do you consider suitable?

Do you consider the proposed Naval Intelligence organization laid before you suited to both Canadian and Imperial requirements?

Do you consider a high power W/T Station is necessary or desirable on the Pacific coast?

If so, of what description should it be?

Have you any suggestions for the reorganization of the Royal Canadian Volunteer Reserve?

What preparations, in your opinion, should be made for mine-sweeping in emergency?

Not only does Lord Jellicoe say nothing as to Naval Stations, etc., but he did not even personally visit the different places on the coasts with the exception of those which lay on his route. The other places (eight of them)—such as Prince Rupert, Sydney, Shelburne, Liverpool—were, he says, “inspected by members of my staff.” But what the staff thought of them, nobody tells.

The Australian Report.—Perusal of such parts of Lord Jellicoe's Australian report as are available to me suggests the reason for the

emptiness of the Canadian. To our far-away friends the Admiral said in italicised letters:

Australia is powerless against a strong naval and military Power without the assistance of the British Fleet.

Australia is faced with the problem of invasion due to the attractions offered by the great potential value of the land and the very small population occupying it. The difficulty of guarding Australia against invasion is greatly increased by the fact that the population of the Commonwealth is so small, by the absence of strategic railways, and the great distance from the Mother Country with its naval and military support.

Proceeding upon this basis, Lord Jellicoe advised the provision of:

1. A fighting fleet—"The Far-Eastern Fleet"—composed of 8 modern battleships; 8 modern battle cruisers; 40 destroyers; and 36 submarines. The supreme command to be vested in a naval officer stationed on shore at Singapore.

2. A trade defence fleet, composed of 4 light cruisers and 8 armored local ships.

3. A harbor defence force, composed of 30 destroyers; 10 submarines; 82 minesweepers; and 4 boom defence vessels. He added specific advice upon many important points.

Canadian Contrast.—Lord Jellicoe, tacitly, and with surprising frankness, admits (as we have seen) that Canada's safety in **no way** depends upon the British fleet. Evidently, he does not agree with the first object of the Navy League in Canada

To bring home to Canadians a sense of their dependence on and interest in the naval strength of the Empire.

Clearly we have no need, as has Australia, for the triple equipment of a fighting force, a trade defence force, and a harbor defence force—clearly, I say, for Lord Jellicoe does not think so. Attacking fleets will sail thousands of miles before reaching us, and for "local defence and defence of trade in the vicinity of the coast", as he says, we can provide at an expenditure of between \$5,000,000 and \$10,000,000 per annum.

The difference between the military situation of Australia and that of Canada accounts for the marked distinction between Lord Jellicoe's two reports. Personally, I thank him for making the difference clear. That such a notable expert should confirm in this respect the opinion frequently expressed in the *Kingdom Papers* is to me both satisfactory and encouraging.

Imperialistic Atmosphere.—In my article of 27 December I said that Lord Jellicoe's principal business was not to give advice to Canada, but

to create an atmosphere favorable to the imperialistic proposal of Canadian adjunct ships, for the British navy, under Canadian pay, and British control.

That in so saying I was not doing Lord Jellicoe any injustice is demonstrated, first, by the nature of his Report, and, secondly, by the fact that in it are the following sentences:

The several branches of the Navy League in the Dominion were particularly desirous that I should address meetings in the principal cities with the object of emphasizing the supreme importance of Sea Power to the Empire, and this was done. In this connection I was much struck with the work accomplished in some cities, particularly Toronto and Victoria, in the formation of Boys' Naval Brigades and the excellent and systematic instruction given to the boys in seamanship, signalling, wireless, etc., and in fostering the sea spirit. The greatest credit is due to those who devote a very large proportion of their time and large sums of money to the furtherance of this work. At the head of the movement is Mr. Aemilius Jarvis, of Toronto.

While members of his staff were inspecting various places on the two coasts, Lord Jellicoe was, by his speeches and other activities, endeavoring, I repeat,

to create an atmosphere favorable to the imperialistic proposal of Canadian adjunct ships, for the British Navy, under Canadian pay, and British control.

That he was not altogether successful may be seen in the protests of the Navy League against government's postponement of the whole subject. The government was right. Until Canada has settled the all-important question of her political status, it is idle to talk about settling her naval policy.

April, 1920.

Canada's Lessons for Ireland.

That there is no difficulty in proving your point by historical citation, provided you are at liberty to recast history as you wish, is well illustrated by Mr. Lloyd George's reference to two of Canada's constitutional changes. Deprecating the introduction of any Home Rule scheme by force, he said:

Lord Durham attempted to force Quebec and Ontario (Lower and Upper Canada) into the same parliament. That plan had to be abandoned. Separ-

ate parliaments had to be given them, and it was only after that was done that federation became possible.

These statements are about as distant from the facts as imagination could make them. Lord Durham did not attempt to force the union. He merely advised it. It was brought into operation, not by Lord Durham, but by his successor, Poulett Thompson (Lord Sydenham), who had previously succeeded in obtaining the assent of both houses of the legislature of Upper Canada, and of the Council of Lower Canada—the only constitutional body then in existence in that Province. There were personal and sporadic objections to the union in both Provinces, but nothing approaching effectively, much less provincially, organized opposition. The plan was not abandoned. It was enlarged by the addition of other provinces, accompanied by devolution of local affairs to provincial legislatures. Separate parliaments were not created before federation.

Nova Scotia.—Not only does Canadian history fail to supply the illustration which Mr. Lloyd George imagined, but it offers an example of the fact that political union may be successfully introduced by compulsion. For Nova Scotia was undoubtedly forced into the federation of 1867; and yet, after one final struggle for repeal, that Province accepted the situation, and ever afterwards acted with perfect loyalty toward the new constitution.

Protestant and Catholic.—The most important lesson, however, which Canada offers to Ireland is to be found in connection with the relation of Protestants to Catholics in the Province of Quebec. It will be remembered that from an early period—dating most markedly from Governor Craig's tenure of office—sharp quarrel had existed between French Catholics and English Protestants (I speak only generally) in connection with political affairs. It will be remembered also that that antagonism finally produced the rebellions of 1837 and 1838; the temporary abolition of the legislature; and the reversion to the old style of government by Governor and appointed Council.

It was under these circumstances that Lord Durham proposed the union of Upper and Lower Canada, having for his purpose the submergence of the French. After a quarter of a century of that union, federation was proposed, which meant that the Protestant minority in Lower Canada (now to be called Quebec) was to be replaced in the political subordination to the French majority from which, in 1841, it had escaped. It was little wonder that strenuous objection was taken to

the proposal, more particularly by the men who were old enough to remember the political strife of the earlier days. They had, indeed, a very much stronger case than have the Ulsterites to their inclusion in an Irish parliament. For in the case of Ireland, the division among the people is based upon religion and race; whereas, in the case of Quebec, to religion and race, must be added the far more disintegrating factor of difference in language.

Experience.—Notwithstanding the aversion of the Protestant population in Lower Canada, federation went into operation and the verdict of history is that Protestant apprehensions were ill-founded. For, after fifty years' experience, we can say that there has been no case of oppression by the Roman Catholic majority. Indeed, it is not too much to affirm that there has never been any substantial complaint in that respect. On one occasion—namely, in connection with the Jesuit Estates Bill—great furor was aroused in Canada, and Roman Catholic intolerance was widely declared to have raised its head once more in the Province of Quebec. But the curious fact is that the commotion commenced in Toronto, the Protestant and Orange capital of the Province of Ontario; that it spread from there to the Province of Manitoba, principally; but that its originators found little support in the Province of Quebec.

Responsible Government.—If we enquire why it was that prior to the Union of 1841, a popularly elected Assembly in Lower Canada was found to be incompatible with the working of the constitution, whereas after federation it not only worked smoothly but without complaint, the explanation unquestionably is that in the earlier period the popularly elected Assembly found itself thwarted and opposed by the Governor and appointed Council—found itself unable to control the executive—whereas in the latter period the principle of responsible government was in operation.

Elections.—If asked why the introduction of responsible government should have made such a difference, I point to the elections. In the earlier period, there was no prize for success at the polls. In the latter period possession of executive power fell to the victors. Under these new circumstances, competition for the "vote and interest" of all "the fragments of sovereignty" became intense. Party leaders vied with one another in presenting such a platform as would secure the favor of all classes and parties. They deprecated the eruption of racial and religious questions. If one did arise, they evinced embarrassment;

straddled it as well as they could; and thanked Heaven when it disappeared. Great is the effect of constantly recurring elections upon the solidarity of communities.

Minorities.—The political history of Canada, in common with other histories, illustrates very forcibly, too, the power of such sections of the community as, feeling themselves in minority, endeavor to attain their objects by cohesion. Undoubtedly the *esprit de corps* among the French in Canada has given to them an influence and a power disproportionate to their numbers. In other words, recurring elections give to minorities a strength which is an important safeguard against oppression.

Canada's Lessons.—The lessons therefore which Canada has to offer to Ireland may be summed as follows:

1. Although force may be necessary for the introduction of some Home Rule scheme in Ireland, it does not necessarily follow that that scheme will be ultimately unsuccessful. We point to Nova Scotia.

2. Although the Protestant minority in Lower Canada made strong objection to being placed under the political control of the French Roman Catholic majority, yet the Protestants have not in fifty years had any cause to complain of oppression. And the Protestant minority in Lower Canada had better ground for apprehension than have the Protestant minority in Ireland.

3. Responsible government, with its recurring elections, is an important safeguard against oppression of, or by, any class in a community.

4. Minorities have, in cohesion, an important safeguard against oppression. Note, that in Ireland, as in Quebec, the minority is, through its wealth and social superiority, much stronger than if it had to rely merely upon numbers.

Prediction.—I have little hesitation in predicting that should a comprehensive scheme of Home Rule for Ireland come into operation, the effect will be that the Roman Catholics will divide, and that the balance of power will be held by the Protestant minority. Should I be wrong in that, I am, at all events, confident that the considerations above referred to afford ample safeguard to the Protestant minority against all possibility of oppression by the Roman Catholics.

Monarchy or Republic?

Assumptions.—Assuming, when Lord Milner (Secretary of State for the Colonies) said that the United Kingdom and the Dominions are “for good and all of equal status,” that he meant it. Assuming, when Colonel Amery (Parliamentary Under-Secretary) said that

Each member of the British Commonwealth is equal in status to every other, and, from its own point of view, the centre of the whole.

that he meant it. Assuming, when the Prince of Wales said,

The Dominions are no longer colonies; they are sister nations of the British nation.

that he meant it. Assuming, when the rank and file of the imperialists echo, as they do in chorus, the language just quoted, that they mean it. Then it inevitably follows that the imperialists have joined me in my desire for Canadian independence. For, undoubtedly, the United Kingdom is independent; and if Canada is to be “equal in status” to the United Kingdom, then, by all that is true in mathematics and logic, Canada also must be an independent State. I am afraid that my assumptions are somewhat large, but for the present paper I accept them as valid, and say to the imperialists: “If you desire Canadian independence, do you wish for a monarchy, or a republic?”

The imperialists will undoubtedly answer that they favor the establishment of an independent monarchy, under the British King, and I now wish to point out to them what changes in our present political situation would be necessitated by our elevation to such a status.

The King.—There would be one King, with as many distinct and separated functions as there would be kingdoms. There would be a situation similar to that which existed in the time of the Georges, when the King of the United Kingdom was also the King of Hanover, although there was no other connection or assistance between the two places. In all matters relating to the United Kingdom, British ministers advised the King, and in all Hanoverian affairs, he was advised by his Hanoverian ministers. Neither Kingdom had the slightest jurisdiction over the other. But for the king-union, they were as separate as France and Italy.

The Governor-General.—It follows from what has been said that there would be in Canada no Governor-General. Were it possible for the King to be in two places at the same time, he would personally discharge his functions in both London and Ottawa. Not being capable of omnipresence, it would be necessary that, in the place in which he was not, he should have a representative. For that reason, when absent from the United Kingdom, he would appoint a viceroy, or a commissioner, to discharge the duties there; and, similarly, when he was absent from Canada, he would appoint some viceroy, or commissioner, to represent him here. The selection of the representative would, of course, be made by the government of the place in which he was to function. It would be no more possible that British ministers should advise the King as to a representative for Canada, than that Canadian ministers should select someone to discharge kingly duties in London.

Colonial Office.—The Colonial Office, so far as it has any relation to Canada, would, of course, cease to operate. This would be to realize the desire of Sir John A. Macdonald, who, during the discussions which preceded our federation in 1867, said that he had in view the noble object of founding a great British monarchy, in connection with the British Empire and under the British Queen.

I am the subject of a great British-American nation, under the government of her Majesty, and in connection with the Empire of Great Britain and Ireland.

and who, on another occasion, said that the new constitution was intended to be, as far as circumstances would permit, similar to that of the Imperial government, and recognizing the Sovereign of Great Britain as its sole and only head.

Sir John desired the abolition of the Colonial Office, and the establishment of direct relations between our parliament and the King.

At the end of fifty-two years, Lord Milner, the Colonial Secretary, has indicated that Sir John's wish is about to be realized. Speaking at Manchester on the 10th of last April, he said:

The Department of the British Government which normally dealt with the Dominions was the Colonial Office, but the Dominions were in no sense under the Colonial Office. The Colonial Office was simply the channel through which the real parties, who were the Governments of the Dominions and the Government of the United Kingdom, transacted their business. Under ordinary circumstances that arrangement worked very well, but it was certainly anomalous that a Department which really governed Nigeria and Hong-Kong should con-

cern itself with the Dominions which we did not pretend to govern at all. When the time came, *as it must come very soon*, for the relations of our Government Departments to be overhauled and their work rearranged on some logical principle, *this and many other anachronisms would disappear.*

Disallowance.—The practice of Downing Street interference with our legislation is now somewhat obsolete, but the constitutional right of interference by the British government still remains. For the future, the British government would have no more jurisdiction with respect to our legislation, than would we with reference to the legislation passed at Westminster.

Privy Council Appeals.—The interference of the Judicial Committee of the Privy Council with the decisions of our law courts would be terminated. In 1875, the members of that Committee said:

To abolish this controlling power and abandon each colony and dependency to a separate Court of Appeal of its own, would obviously be to destroy one of the most important ties connecting all parts of the Empire in common obedience to the courts of law, and to renounce the last and most essential mode of exercising the authority of the Crown over its possessions abroad.

When this last method ceases to operate, very few Canadians will shed tears.

Foreign Affairs.—British and Canadian foreign affairs under the new system would be separated as completely as are the affairs of the United Kingdom and France. Canada would adopt a foreign policy of her own, and would carry it into effect without reference, further than as to her might seem good, to British policy. Canada would send ambassadors of her own to such countries, including the United Kingdom, as she thought proper, and these ambassadors would be guided solely by the instructions which they received from Ottawa. It might happen—and, in the course of time, probably would happen—that Canadian policy would conflict with British. That would be regrettable, but it might be unavoidable.

Treaties.—Canada has signed the recent peace treaty, but only in her capacity as a member of the British Empire. For the future, Canada would negotiate and execute treaties as a separate international entity. Some of these treaties would contain engagements with reference to trade, commerce, extradition, etc., but others might create war-alliances. And while we should endeavor to keep our war-treaties in harmony with British arrangements, we would be under no constitutional obligation to observe any such limitation. For example, when the United Kingdom entered into that fatal Japanese treaty of 1902, Canada would almost certainly have registered her dissent.

War.—During the king-union of the United Kingdom and Hanover above referred to, the political separation of the two countries was most notably marked by the fact that not merely were foreign relations conducted upon separate lines, but that Hanover was actually at war with Russia, while the United Kingdom was at peace with the country of Peter the Great. Nations united only by a king-union are always subjected to that danger, and it may happen in the future that the United Kingdom or Canada may be at war, while the other is observing neutrality. And not merely so, but constitutionally there is always the possibility that two countries with only a king-connection may be at war with each other.

Flag.—The situation which we have been considering would necessitate the adoption by Canada of the usual symbol of nationhood, namely, a Canadian flag. The Union Jack would be inappropriate, because it would be the flag of another nation. It would, indeed, be singularly inappropriate because it is a combination of the flags of England, Scotland, and Ireland, and is therefore associated, in its very structure, with a country which to us would be a foreign country.

A Test.—Here then, is a good test for the imperialists who are making use of the language of Canadian equality of status with the United Kingdom. If they are in favor of all the changes above catalogued, then they have ceased to be imperialists and have become advocates of independence. If, on the other hand, they will not accept the changes, then they are using language either very thoughtlessly or very dishonestly.

Whether a monarchy or a republic would be the better for Canada will be discussed in the next issue of *The Canadian Nation*.

II.

I now ask whether independence as a republic with a Canadian President would not be better for Canada than independence as a monarchy under a bifurcated King?

Functions of the President.—And observe that I do not posit a President with the extensive powers of President Wilson, or one with the much more humble authority of the Swiss President. The power with which we would endow our chief executive officer is a subject that we will settle after we have agreed that we want a President of some sort.

We may, if so we wish, give him precisely the power that the British King has to-day. Do not permit the imperialists to argue

against some President by objections to the United States system.

Not a Resident King—Probably very few of our imperialists would desire that Canada should have a King of her own—a King with his court, and his satellites, and sycophants, and foolish flummeries, making of Ottawa a Mecca for society aspirants. If, as our parliament has declared, we do not want a socially privileged class of titled men in Canada, we certainly would not desire that the apex of the system should reside among us. For although the British people have been able to mingle a certain amount of democratic practice with their political system, kingship is, indisputably, an extremely undemocratic institution. In by-gone times, a King was said to be useful in two respects—first, as a ruler, and, secondly, as a defence against what was declared to be the undue advancement of a disobedient democracy. In the first of these rôles, the British King has ceased to function, and his retarding power, in the second, has become the chief clause in his indictment. It has been discovered, moreover, to rest upon nothing more impressive than the clothes in which he and his attendants enrobe themselves. For, supposing, said Carlyle, that at some court *levée*, by touch of fairy wand, all the clothes of the high dignitaries should suddenly fly off them, and that the Royal Presence and the others should be left hopelessly straddling there! Probably the only impression now-a-days produced upon members of the Labor Party by extravagant dress (Heaven bless them for this and much else) is one of resentment at the extravagant waste. For the 6,000 gowns worn at the coronation of King Edward VII, 150,000 yards of velvet and satin were required; and, in the coronation service is a prayer for “a loyal nobility . . . dutiful gentry . . . an honest, industrious, and obedient commonalty.” The Labor Party would not like that either. Neither they nor, I think, the imperialists would desire a resident, or even an alternately resident and absent King.

An Absentee King—What the imperialists want, therefore, is that Canada should have a King upon condition that he should not reside in Canada. We are a democratic people, they say, and a King at Ottawa would be a palpable misfit; but we like the idea of a King; and one who would remain three thousand miles away would not be specially injurious to us. They might very well add that if our King were at any time to contemplate paying us a protracted visit, the constitutional right of petition could be brought into operation—he might be unanimously requested to stay at home. We could in this way, they might urge, always protect ourselves from his undemocratizing influence.

The Question—The question then assumes this form: Is it better for Canada, that she should have as her executive head a King residing in, and at the head of, a foreign country (Countries united by a king-union only are foreign to one another), or the Canadian whom the people of Canada deemed to be best suited to be their President? To the question so put there can be but one answer, even if there were not many substantial reasons for concurrence in the natural reply. Observe the following:

Impracticability—Although the British King has been deprived of all authority, yet his right to be informed of all important projects, to express his views with regard to them, and to give counsel and warning concerning them still remains as his undoubted prerogative. He may even, under special circumstances, refuse his assent, and, by so doing, cause the resignation of the ministry. Those functions cannot properly be discharged by an absentee King. To delegate them to a Viceroy or Commissioner would be to give to somebody else the power which the King alone is entitled to exercise. If we are to have a functioning King, he ought to reside here. But here is the only place we do not wish him to be.

Confidences Dangerous—The King's right to be kept informed as to all important matters of policy raises perhaps the chief difficulty in the practical working of the King-union. For, as has already been said, the countries are, to one another, foreign countries with separate and normally divergent policies. And that there should be a man not only entitled to receive the confidences of the governments of both countries, but bound to carry those confidences into the counsel and warning which it is his duty to place upon all his ministers, would be to introduce conditions under which government would, in some respects, be impracticable.

Foreign affairs—There is, for example, in connection with foreign affairs, no legal or constitutional reason why a bifurcated sovereign should not, at the same time, pursue two different policies—one dictated by his British ministers and the other by his Canadian. As a British King, he might, for instance, enter into a war-treaty with Japan, and, for the protection of Canada, he might, as a Canadian King, make an arrangement with the United States. But to require that knowledge of all the negotiations for such treaties must be entrusted to a man whose relations make it his duty to give counsel and warning to another Power, would place an embarrassing limitation upon the exercise of national freedom.

State Secrets—As has already been said, a King-union is no guarantee against the outbreak of war between the two countries so united. During the King-union of England and Scotland, the quarrelling nearly resulted in hostilities. And even if we refuse to contemplate the possibility of war between the United Kingdom and Canada, we must anticipate that at some critical juncture it may be necessary that knowledge of what we are doing and what we contemplate shall not be at the disposition of the British government. A mutual confidant, even if sworn to secrecy, would be dangerous to both countries, but chiefly to the country in which he did not reside and with which, on points of disharmony, he did not sympathize. James VI. of Scotland became also James I. of England. He took up residence in England. And he became English. That George I, on assuming his second kingship, remained Hanoverian was because he could not speak English.

A Head Like That—Should we send, as I hope we soon shall, representatives to the meetings of the Pan-American Congress, we ought to be able to boast a better head of our government than an absentee King who prays to God for an "obedient commonalty." We might overhear remarks. Which reminds me that Pat O'Flynn was found guilty of killing a man at Donnybrook Fair by a tap on the head which caused death only because of the unusual thinness of the tapped skull, and that, when asked if he had anything to say, Pat replied: "Well, what the divil business had a man with a head like that at a Donnybrook Fair anyway?"

The foregoing are some of the reasons why Canada ought to be a republic rather than a monarchy. Can anybody suggest a reason for contrary preference?

III.

Assuming, when the imperialists say that Canada is to have a political status equal to that of the United Kingdom (to be an independent state) that they mean it, I stated in my last article some of the arguments which appear to make advisable—if not, indeed, necessary—that the head of our executive should be a resident President, rather than an absentee King, and I asked: "Can anybody suggest a reason for contrary preference?" I shall now deal with some possible replies to my question.

Sentiment—"Mr. Ewart ignores the essential element, namely, sentiment." There have always been, and are now, in Canada two conflicting political sentiments, and I ignore neither.

Imperial Sentiment—One of them I denominate imperialistic, for those imbued with it have been, and are, content that Canada should be a subordinate part of an imperialistic system. They have contested and bewailed the severance of every "link" that held her in that position. And they have vilipended as rebel, traitor, republican, annexationist, etc., every one who advocated a more fitting status for his country. Now they are somewhat bewildered and dismayed by Canada's plunge toward independence. And they are eagerly seeking new methods by which the imperialistic domination of Canada may be prolonged. I by no means ignore the sentiment of those men. I deplore it. I have done what I could to eliminate it.

Canadian Sentiment—Canadian sentiment is shared by all those who feel the humiliation involved in Canada's present political subordination. They believe that Canada ought in fact, as well as in phrase, to have a political status equal to that of the United Kingdom—a political status giving her complete control over all her foreign affairs, including the most important of them, namely, peace and war. That sentiment, too I by no means ignore. I am full of it.

Sentiment and Reason—Sentiment is not the product of reason. It is an emotion, and frequently maintains itself in spite of the most intellectually convincing arguments. It derives from interest, but it not only very frequently persists after the initiating interest has ceased to exist, but surrenders slowly before the force of changed conditions. Reason, operating directly and alone, is powerless to move it. But as interest alters, rationalistic attack upon the foundations will aid dislocation, and eventually achieve effacement.

The Kingdom Papers—As an endeavor of that sort, I believe that the *Kingdom Papers* had some success. I found that the imperialistic sentiment came naturally into Canada with the men who had been nurtured in the imperialistic system; that many of these men had left the American colonies in strong protest against severance from the British Crown; that they were deeply impressed with the belief that for their subsequent safety they owed an unrepayable debt of gratitude to the British navy; and that the British King was entitled not only to their allegiance but to their military support.

These beliefs I knew to be ill-founded. Investigation had taught me that in no act of the British government toward our country can a trace of philanthropy—a trace of anything but self-regarding interest—be found. And I set for myself the task, first, of making that fact

apparent to my fellow-Canadians, and, secondly, of arousing in them a sentiment of Canadian nationhood.

No Ground for Gratitude—For the first of these purposes, portions of the history of the relations of the two countries had to be written, for in no book or books could they be found. Nowhere than in the *Kingdom Papers* can there be seen adequate presentation of the facts concerning the years of seizure by American warships of our sealing-ships in Behring Sea; concerning the French aggressions in Newfoundland; concerning the American aggressions in connection with our Atlantic coast fisheries; concerning the Alaska boundary award. Without the *Papers*, proof would not have been easily available that in every one of these cases British assistance was given to our opponents; that British cruisers helped American cruisers to drive our sealing-vessels from the open seas; that a British admiral, supporting unwarranted French claims, illegally destroyed Newfoundland property, and was ordered by the courts to pay damages; that the British government, supporting unwarranted American claims in connection with an indisputable right not to sell bait to foreigners if we did not want to, endeavored illegally to interfere with our action, and was again defeated in the courts; that in the Alaska arbitration we were, first, unfairly handicapped by the improper selection of the American arbitrators, permitted by the British government, and secondly, we were betrayed and jockeyed by Lord Alverstone, the British arbitrator appointed by the British government.

But no Complaint—I proved all these things from the official records, but I made no complaint. My object was merely to dissipate the notion that British action had placed us under bonds of gratitude.

"I make no objection," I said, "to such action. It is only perfectly natural." Not only did I make no complaint, but on several occasions I took pleasure (perhaps somewhat malicious) in chiding imperialists, who, through ignorance or carelessness, had made unwarranted charges of failure to treat us fairly. I indicated, for example, my preference for a modification of Mr. Chamberlain's statement that

the mother country was not truly a mother at all, but rather in the light of a grasping and absentee landlord desiring to take from the tenants the utmost rents he could exact." (a)

I objected to Colonel George T. Denison's statement with reference to Lord Ashburton

He was a weak, well-meaning man, who had been intimately associated with the United States by commercial and family relations. He knew little or

(a) *Foreign and Political Speeches*, p. 242.

nothing of Canada, and yet our interests were in his hands. Through his want of knowledge and weakness, the State of Maine cuts up into our territory like a dog's tooth, and stands a lasting monument of the sacrifice of Canadian rights. (b)

I objected to Mr. J. Castell Hopkins' statement that, in negotiating the convention of 1818,

a combination of British indifference to territory, and of utter ignorance of American character, aggressiveness and ambitions marked every phase of the negotiations—as they continued to do for another half century. (c)

I objected to Mr. Hopkins' statement that

In 1812 and 1818 came two arrangements with the United States which stamp the astuteness of American leaders and the blunders of British statecraft in broad and vivid outlines upon the map of Canada. (d.)

I objected to the statement of Mr. Hopkins when, referring to Lord Ashburton's appointment in connection with the Maine boundary negotiations:

His appointment is, therefore, a standing disgrace to the Melbourne Government . . . a wedge of American soil was pushed up into the heart of the Maritime provinces. (e).

The statements of Colonel Denison and Mr. Hopkins with reference to Lord Ashburton are quite unwarranted, for although that gentleman was unaware of it at the time, he in fact secured for Canada more territory than we were entitled to.

Finally, when Sir Richard Cartwright (not an imperialist) declared that we owe the United Kingdom nothing but "a great deal of Christian forgiveness," I replied:

But we owe her more than that. I believe that it is something to have had our parentage in the British isles. The people there are far from perfect, but they have an aggregate of qualities that has given them, in many respects, the leadership of the world. We are grateful for such of those qualities as we may have retained. We are grateful for the maintenance, in the old land, of such of them as we have failed to continue. And we are grateful to our ancestors chiefly for their splendid struggle for self-government. Without that example and inspiration those of us who have made Canada what it is might still be the "colonials" of those who stayed at home." (f)

(b) Article entitled "Canada and her Relations to the Empire" in *Westminster Review*, September, 1895.

(c) *The Story of the Dominion*.

(d) *Ibid*.

(e) *Ibid*.

(f) *Kingdom Papers*, vol. 1, p. 328.

I am not indeed one of those very foolish people who assert that no evil thing has ever happened under the Union Jack. I acknowledge that slave-trade, opium wars, Transvaal annexation, and many other undeniable blots stain the flag. But I do assert that, notwithstanding all these defects, the British Empire is not only the greatest, but the best of all the Empires of history.

Disintegrate the Empire—"And does Mr. Ewart desire to disintegrate the Empire?" No, I do not. It is already done, as far as Canada is concerned, and I can boast no part in the achievement. It commenced in 1791 (as the Colonial Office at that time recognized) by the unwilling concession of 'popularly elected Assemblies. It was furthered by the foolish dominations of some of the early Governors—Craig and Gosford in Lower Canada, for example, and Francis Bond Head in Upper Canada—and by the Mackenzie and Papineau rebellions which such Governors produced. It was given splendid impetus by Lord Durham and Lord Elgin. It was advanced by Sir John A. Macdonald and Sir A. T. Galt in their establishment of our fiscal independence; by Sir John A. Macdonald and Sir Charles Tupper in their success with reference to the Canadian flag; by Sir Charles Tupper, Mr. Fielding, and Mr. Brodeur in their establishment of the right to negotiate our own tariff treaties; by Mr. Edward Blake in his abatement of the asserted prerogatives of the Crown; by Sir Wilfrid Laurier in the establishment of our right to deal directly with the United States in all questions of disagreement, and in his manful assertions at the Imperial Conferences of Canadian autonomy; and, finally, by the present assertions of the imperialists themselves with reference to Canada's political status.

Co-operation—"A common King would be some guarantee for unfailing concurrence and co-operation." Yes. Retention of a grip upon us is precisely what the imperialists want, and what we must forfend. There would be little satisfaction in Canada having a status equal to that of the United Kingdom if, by such devices as "The Imperial War Cabinet," "The Imperial Resources Commission," and other tricky schemes, our policies were to be settled in London and imported here for ratification by the party supporters of the men who permitted themselves to be overborne when under London influences. With an unbroken succession of Macdonalds and Lauriers, we might have little to fear (although Sir Wilfrid did make one concession which he afterwards had reason to repent); but such men are rare, and we all know that the recent acceptance by the imperialists of some fine nationalistic

phrases has been accompanied by the forging of new bonds with which to limit and control our freedom of action. No, we are not willing to accept a mortgaged independence, or a fettered freedom. We shall give no pledges as to what we shall do. We shall have, and we shall fully enjoy "a political status equal to that of the United Kingdom." Whether, in the exercise of that perfect freedom, we shall or shall not enter into a treaty of alliance with the United Kingdom, is another matter. As to that, too, we shall do as we think right.

The conclusions deducible from what has been said are as follows:

1. If Canada is to have a political status equal to that of the United Kingdom, she will be an independent state.

2. A resident President would be a better executive head for an independent Canada than an absentee King, and very much better than a resident King.

3. Such sentiment as is opposed to the elevation of Canada to the rank of an independent state, although not well founded in reason, must be treated with respect.

4. Fortunately it is rapidly disappearing. Even the imperialists have learned, and are constantly using, the language of Canadian nationhood.

5. Unless we are to be in some way duped and tricked, Canada's emergence is almost at hand.

February, 1920.

Responsible Government--An Alberta Mistake.

Responsible government means that when the Administration of the day ceases to possess the confidence of the representatives of the people in parliament, it gives place to another more fortunately situated.

The theory is good, but one of the methods of determining whether in any particular case, the Administration has ceased to possess the confidence of the representatives of the people is not only defective, but very foolish and injurious. Lack of confidence, it is said, may be indicated, not merely by a direct declaration to that effect, but by a refusal to agree with the Administration upon any substantial item of policy. The House may have great confidence in the Administration, but, according to this system, it cannot differ with the government without

declaring that which it does not mean to declare, namely, that it has no confidence in the ministry. That is very absurd. And it is injurious because it prevents that freedom of action on the part of the supporters of the Administration which is demanded not only by their consciences but by regard for the interests of their constituents. In other words, the practice requires the suppression of individual opinion, and transforms the supporters of the government into mere voting-machines. The effect upon opposition members is equally baneful. For it places before them as their principal object, not the formulation of beneficial legislation, but the arrangement of some crafty situation in which they may secure a trick majority. Sometimes, after an exhibition of successful strategy of that kind, the government requires that there should be a direct expression of the confidence of the House, and it may fairly be said that the tendency is towards greater freedom on the part of the members, and towards a direct vote of want of confidence as being that which necessitates the removal of the Administration.

This being the state of affairs, two members of the Alberta legislature moved the following resolution:

Therefore be it resolved that this house express its desire that the Premier ought not to consider the defeat of any government measure a sufficient reason for tendering the resignation of his government, unless such defeat be followed by a vote of non-confidence in the government.

The clause, if passed, would have removed the objection to the present practice. It would have enabled government supporters to act freely with regard to government measures. They would no longer be afraid of the effect of a vote adverse to a government proposal. They would know that such a vote would not displace the ministry. They would know that their action would not be construed as an indication of want of confidence in the Administration. The effect upon opposition members would also have been beneficial. They would turn their attention from endeavors to embarrass the ministry by catch votes. They would understand that such action, even if successful, would not place them in office. And they would pursue their proper function—discussion and criticism of governmental proposals.

Objection to the Motion—The Alberta Attorney General opposed the motion on the ground that it would, in effect, constitute an alteration of the constitution by interfering with the right of the Lieutenant-Governor to dismiss his ministry when he thought proper. To that there are several replies:

The resolution indicates merely that the Premier ought not to take an adverse vote as a vote of want of confidence. There is no reference in the motion to the power of the Lieutenant Governor. There is merely a declaration as to the attitude of the House towards the government. The Attorney General argued in this way:

What if a bill were defeated, and the Lieutenant-Governor asked for the resignation of the Premier, and the latter said: "I cannot resign because of this resolution which the legislature has passed."

That, the Attorney General said, "would clearly be interference with the rights of the Lieutenant Governor."

But the Attorney General overlooked the fact that the practice of dismissing ministries by the King may be said to be obsolete. No doubt the prerogative power theoretically remains, but there is no example of its exercise since 1834. Sir Courtenay Ilbert, in his *Parliament: Its History, Constitution and Practice*, concludes his remarks upon the subject by saying:

But the experiment once tried by William IV. of dismissing his ministers by the exercise of personal will is not likely to be repeated. (p. 149.)

And Mr. Lowell, in *The Government of England*, says:

The right to dismiss a ministry, though unquestionably within the legal prerogative of the Crown, seems to be regarded as one of those powers which the close responsibility of the cabinet to the House of Commons has practically made obsolete. (v. I. p. 32).

If, however, the King's power of dismissal remains intact (as assumed by the Attorney General), the following considerations may be suggested:

First—The Lieutenant Governor would not, under the circumstances referred to in the resolution, ask for the resignation of the Premier. He would understand that the adverse vote was not intended to be an expression of want of confidence. There would exist no reason for asking for a resignation.

Second—If the Lieutenant Governor asked for resignation, the resolution would in no way prevent compliance with the request. The resolution declares that an adverse vote is not a reason for resignation. It does not provide that a request from the Lieutenant Governor shall not be complied with.

Third—If the Lieutenant Governor asked for resignation, and the Premier refused to comply, the power of the Lieutenant Governor

would not thereby be ousted. In the old days, when an English King desired to dismiss his ministers, he was never thwarted by stubbornness of that sort. He acted in the same way as would the Attorney General in case he desired to dismiss his Secretary. Out of respect for the official's feelings, Mr. Attorney might ask for a resignation, but refusal to give it would merely mean dismissal instead of resignation.

Most unfortunately, and quite erroneously, the Speaker held that the resolution was out of order, inasmuch as it interfered with the prerogatives of the Crown under the B.N.A. Act. And thus a most beneficial suggestion for amendment of a very foolish convention was brought to naught.

I would strongly recommend to all our legislatures the adoption of a somewhat similar resolution. It would be specially useful at the present time in the Province of Ontario.

March, 1920.

Single Tax.

The advocates of "single tax" are of three kinds: (1) Real Single-Taxers; (2) Revenue Single-Taxers; and (3) Muddled Single-Taxers.

Real Single-Taxers—I cannot be wrong in going to Mr. Louis F. Post for my definition of single tax—

Land value taxation to the exclusion of all other revenue taxes, and to the full rental value approximately of the land.

Everywhere opposed as confiscation of private interests in land, it is everywhere defended as the taking for the community of what belongs to the community.

Referring to taxes upon "unearned increment," Mr. Post says:

Their chief value, however, is their tendency to develop an appreciation in public opinion of the fundamental fact that land values are community values and belong to the community.

An article by another notable single taxer, Dr. Frank Crane, has appeared in *The Canadian Nation*. He illustrates his view by the case of the Eden Farm, on Manhattan Island, which fifty years ago was worth, he says, about \$25,000, and was recently sold for about \$5,000,000. He adds:

The Single Taxer points out the party who earned that enormous increase. It is the public. The Eden Farm became a bonanza simply because thousands of people settled around it and prospered. The earning was communal, and by right therefore belongs to the community.

1. This gentleman, like all other single-taxers, omits to remind his readers that, originally, the community did own all the land, including the Eden Farm; that the community sold the lands, together with all their possibilities of increased value; and for many years, and after the land had been sold by a succession of persons to others, the proposal is that the community should repossess itself of what it had sold. I have never heard of any more flagrantly dishonest proposal than that of the Real Single-Taxers.

2. It is not true that "the earning was communal." In truth, the community as such had nothing whatever to do with the increased value, except (and of that it readily availed itself), to draw largely increased taxes from the increasing values of the lands. It was not the community that raised the values, but those persons who, for their own purposes, and not with the idea of benefitting anybody but themselves, settled in proximity to the lands.

Take, for instance, the town of Pullman. A company erects, in an unsettled part of the country, a large manufacturing establishment, which attracts not merely thousands of workmen, but shopkeepers, parsons, lawyers, doctors, editors—all of whom make work for still others. In such a case it cannot be right to say that the value of the company's land was increased either by the community or by the persons who were attracted by its works. It would be much more true to say that all the increased value of the lands—both that of the company and that of the individuals—was due to the initiative and enterprise of the company. If, then, we are to take from land owners that part of the value which was added by the action of others, we should have to say **that the company—not the community—would be entitled to the "un-earned increment"** of all the lands in the vicinity of its works.

3. In the same sense as that in which single taxers attribute to the community the increased value in land, they ought to make attribution to it of some of the value of everything else. Apples, for instance, cost in Ottawa five cents apiece. What would they be worth if grown at a place without access to markets? Doctors and lawyers are indebted for a large part of their revenue to "the community." Two men equally endowed may commence practice in different places; and they may be equally diligent, but their success, from a financial point of view, will depend very greatly upon whether their localities increase or diminish in population.

Newspapers are not exempt from the operation of this general rule. I remember two rival papers commencing publication in two

closely adjoining hamlets, each of which hoped to become a divisional point of the Canadian Pacific Railway. The newspaper which proved to have been fortunate in its selection of place of publication became a valuable property. The other, of course, soon failed and stopped publication. It is said that some years ago the *Manitoba Free Press* was bought for \$60,000. Its present value is probably not less than three-quarters of a million. Single-taxers, to be consistent, ought to assert that a large part of "the earning was communal, and by right therefore belongs to the community."

Revenue Single-Taxers—A question which can be discussed altogether apart from the basic principle of the single taxers (as referred to) is that of the incidence of taxation—namely, whether, regarding the land as a subject of private ownership, in the same sense as any other property, it is advisable that all revenues should be drawn from land rather than from the variety of sources now customary. That may be considered to be a debatable question, but the arguments against the derivation of all revenue from land are much too complex and technical for discussion in a short article. All I desire to point out is that the two subjects—single tax, and incidence of taxation—may be treated (and I think they should be treated) as entirely separate subjects. Some single-taxers devote their arguments to this second question. In so far as they do not stray into the field of the Real Single-Taxers, they are worthy of audience.

Muddled Single-Taxers—My experience induces me to say that the majority of single tax advocates are not to be found in either of the classes already dealt with. They do not keep clearly in view what single tax means; they do not keep the subject of incidence of taxation separate from the other subject of single tax; and the result is that they have very confused ideas of the subject upon which they profess to hold very strong opinions. I do not think that I am unjust to them when I describe them as Muddled Single-Taxers.

Very many of these men would altogether repudiate, when clearly stated and put to them, the views of the Real Single-Taxers. They would see and appreciate the rank injustice of the community cancelling sales which had been made, it may be, scores or hundreds of years ago. Nevertheless they would contend stoutly for the raising of all revenue from the lands, and they would base—not merely unconsciously, but quite expressly—their advocacy upon the arguments of the Real Single-Taxers.

Over and over again I have tried to separate in the minds of men with whom I have been conversing these two things—the incidence of taxation, and the Real Single-Taxers' view—but I have invariably failed.

There are, of course, but two logical positions for the single taxers to assume:

They must, on the one hand, assert to the full extent the correctness of the Real Single-Taxers' view—in which case all question as to the incidence of taxation becomes irrelevant; for the community being entitled to the whole of the land it may raise its revenue as it pleases from what itself owns. It is a case not of taxation at all, but of the community paying its way out of its own property.

If any single taxer decline to adopt this view, then he ought to abandon it—ought to eliminate it from his mind, and be prepared to discuss the other question of incidence of taxation with his brain emptied of all suggestion of real single tax.

May, 1920.

Single Tax.

Reply by Mr. Ch. J. Tulley.

“To the Jews a stumbling block and to the Greeks foolishness . . . but to those who are called, it is the power of God unto salvation.” Man has been long tinkering with government and his zeal in setting up almost infinite varieties of artificial control has blinded his eyes to the obvious. To those who see the beauty, simplicity and equity of natural law; it is they who have discerned the road to “salvation,” to freedom.

Single Tax is not primarily a reform in Taxation. The name is unfortunate because it tends to confuse the fundamental natural law underlying the philosophy with the inequitable systems of taxation at present used by man. The Single Tax is an economic philosophy, the application of which spells freedom, and it belongs as much to the ethical as to the economic sphere of society. It makes its appeal to natural law and its command to the government is—“Hands off, mind your own business.” The business of government ends with the securing of justice to the citizen and the raising and expenditure of revenue in accordance with exact justice.

In his article published on the first instant, Mr. Ewart writes: "Originally the community did own all the lands the community sold the lands, together with all their possibility of increased value." The community did what it had no right to do. Sir William Blackstone has written "accurately, and strictly speaking, there is no foundation in nature or in natural law why a set of words on parchment should convey the dominion of land." Again, "it is received and undeniable principle of law that all lands in England are held immediately of the King." Sir Frederick Pollock: "It is commonly supposed that land belongs to its owner in the same sense as money or a watch. This is not the theory of English law, since the Norman Conquest, nor has it been so in its full significance at any time." Again, "No absolute ownership of land is recognized by our law books. except in the crown. All lands are supposed to be held immediately or mediately by the crown, though no rent or services may be payable and no grant from the crown on record." Justice Longfield has written: "Property in land differs in its origin from property in any commodity produced by human labor; the product of labor naturally belongs to the laborer who produced it, but the same argument does not apply to land, which is not produced by labor, but is the gift of the Creator of the world to mankind. Every argument used to give an ethical foundation for the exclusive right of property in land has a latent fallacy." John Ruskin: "Bodies of men, land, water and air are the principal of those things which are not, and which it is criminal to consider as personal or exchangeable property." John Stuart Mill: "The essential principle of property being to assure to all persons what they have produced by their labor and accumulated by their abstinence; this principle cannot apply to what is not the product of labor, the raw material of the earth." Thomas Carlyle: "Properly speaking, the land belongs to these two, to the Almighty God and to all His children of men, that have ever worked well on it or that shall ever work well on it. No generation of men can, or could, with never such solemnity and effort, sell land or any other principle. It is not the property of any generation, we say, but that of all the past generations that have worked on it, and of all the future ones that shall work on it." Thomas Jefferson: "The earth belongs in usufruct to the living." The Bible: "The earth is the Lord's and the fulness thereof." Francis W. Newman: "The history of the gradual, stealthy, but really nefarious revolution in which landlords, by their own legislative power and their influence over lawyers, changed themselves into landowners, needs to be popularized."

I repeat, then, with all this evidence, the community had no right to alienate the land. Nor does the Single Taxer advocate the expropriation of the land, thus alienated, for communal ownership. Nor is one "flagrantly dishonest" in demanding the public ownership of land value. Land value, state-uncollected economic rent capitalized by present and future owners, is publicly created and should be taken by the state as revenue.

Ignoring the principles laid down by Blackstone, Mill and others and amplified by Henry George, Mr. Ewart confuses the things produced entirely by individual human effort with land value which depends almost entirely for its existence upon the collective effort of the people of a community, and which arises out of the fact that certain sites are more desirable than others and which are a direct reflection of good government and community improvements.

Mr. Ewart writes: "Indeed, the community, as such, had nothing to do with the increased value." Indeed? Wherever a community occupies land area, and as far as is known all communities are on earth, land value comes into being and increases as the community grows, improves, etc. Take the community away; obviously land value disappears. Mr. Ewart continues: "It was not the community that raised the values, but those persons who, for their own purposes, and not with the idea of benefitting anybody but themselves, settled in propinquity to the lands." The Pullman Company, isolated and by itself could not possibly have increased the value of the land "in propinquity" to which they settled had not people moved in, workers first bidding against one another for the most favored home sites; then the servers of the workers, the "middlemen," bidding against one another and the workers for the most desirable business sites. The Pullman Company invested capital in order to draw interest. They have no right simply from their presence in a community, even if they did attract population there, to collect the land value which clearly arises and increases as the community grows and prospers.

Take away the human effort and enterprise of the owners of any industry and the same will disappear. It is true that a newspaper must have a large circulation in order to continue in existence, but the newspaper as a business concern must have behind it tremendous human business effort and ability either in the person of the owner or those employed by him or it will vanish. Not so land value. The owner of an area may be a baby or else an imbecile, but so long as the community continues to prosper the value of his or her area will increase.

We would welcome a public exposition by Mr. Ewart on the "Incidence of Taxation," in order to clear up the muddle. Had humanity begun rightly, continued in conformity with the natural laws of economics, by drawing all economic rent into the public treasury, there would never have arisen such an institution as Taxation. Individuals owning sites in use or owning sites not in use would pay to the public treasury the economic annual rent for the locations held by them, which rent has sprung into being not by the efforts of the individuals alone, but by the needs of the community, and as intimated by Mr. Ewart, the community would now be raising "its revenue from what itself owns, in which case there is no taxation at all." Indeed, the word "taxation" would never have been coined. Men would have paid for social services as they pay for every thing else, according to the value received. We are single taxers in everything but the raising of public revenue.

To argue the "Vested Rights" principle would be to say, being perfectly consistent: "We must not remove the protective tariff on goods when those who have invested in the companies producing such goods paid more for their stock than they would otherwise, in the expectation of deriving protected profits. In other words, since largely through the influence of those engaged in protected industries, the policy of protection has been maintained for a limited number of years, society at large owes such industries a continuance of favor."

The above is a view which the writer cannot bring himself to accept. Society is under no obligation nor is any class in society under an obligation to pay tribute to any person or group of persons for all future time. Still less is a class which, while another class has controlled government, has been exploited, under obligation to continue to let itself be exploited if and when it is able to get into the saddle. Society as such has given no pledge, and is not in a position to give a pledge, that its policy will not change.

Is it correct to think of land-value taxation primarily as a system that infringes on vested rights by taking something away from land-owners? Is it not more enlightening to call to mind that the rest of society is continually, weekly, monthly, or annually, as Henry George explains, paying tribute to the owners of land, tribute for which neither these owners nor any previous owners as such have ever rendered a return to those who thus pay them? Suppose the masses who are thus paying tribute without receiving either labor services or more capital equipment for production than would otherwise be available, or indeed anything else worth the price, simply decided to stop paying this tribute.

Would their doing this be confiscatory? and must they, if they are to cease paying, compensate the land-owners by giving to the latter bonds finally payable by the same persons who now pay land rent? If such compensation is to be paid, then slaves in the sense that they devote much labor to the support of a parasitic class cannot be freed without provision for compensating the parasitic class, but also that the compensation must be provided by the slaves.

Ottawa, May, 1920.

Single Tax.

Rejoinder by Mr. Ewart.

In my article in *The Canadian Nation* of May 1, I divided the advocates of single tax into three classes: (1) Real single-taxers; (2) Revenue single-taxers; and (3) Muddled single-taxers. I justify putting Mr. C. J. Tulley in the last of these categories, for the following reasons:

In my article I said that "originally the community did own all the lands, including the Eden Farm; that the community sold the lands, together with all their possibility of increased value; and now, after many years, and after the lands have passed from hand to hand, the proposal is that the community should repossess itself of what it has sold. I have never heard of any more flagrantly dishonest proposal than that of the single-taxer."

The reply of Mr. Tulley is that in selling the lands "the community did what it had no right to do." But he leaves us to ascertain whether the alleged inability of the community depends upon (1) the non-ownership by the community, or (2) assuming the ownership, the inability of the community to sell. A few words upon each of those points:

Mr. Tulley seems to be uncertain as to where ownership is to be located. He quotes from various contradictory authorities, but expresses no preference for any one of them. He quotes the Bible as saying that "The earth is *the Lord's*." Making rapid descent from that ownership, he quotes Sir William Blackstone and Sir Frederick Pollock to the effect that no absolute ownership of land is to be found anywhere but in *the Crown*. Continuing his descent, Mr. Tulley cites Justice Longfield in support of the statement that the Creator gave the land to "*mankind*." And then, as discriminating amongst human beings, Carlyle is quoted to prove that the land is the property "of all the past

generations that have worked upon it, and of all the future ones that shall work on it"; in other words, that the land belongs to those who are working on it, and not either to mankind in general, to the King in particular, or even to Almighty God. My own view is that the land originally belonged to the community; that, under monarchical forms of government, the legal title was vested in the sovereign, not for his personal use, but because of his representing *ex-officio* the community; and that, under republican forms of government, the legal title is in the community at large, and subject to legislation by the elected representatives of the community.

But probably Mr. Tulley meant that although the community did own the land, it had no right to sell it. What, then, is to be done with it? Could the community lease it? If so, could it grant a lease for a term of years? If not, how could any individuals ever be induced to build upon it? No one would erect a valuable structure upon land unless he were sure of a long period of tenancy. Does Mr. Tulley suggest that, while the community has a perfect right to give long leases of land, either upon payment of a lump sum, or upon payment of annual or other instalments, yet it cannot convey a more permanent title? It is very difficult to get single-taxers to face that question.

A frequently reiterated example of muddled thought is that which Mr. Tulley repeats in the following sentences: "Nor does the Single Taxer advocate the expropriation of the land, thus alienated, for communal ownership. Nor is one 'flagrantly dishonest' in demanding the public ownership of land value. Land value, state-uncollected economic rent capitalized by present and future owners, is publicly created and should be taken by the State as revenue."

Unless some valid economic distinction can be made between land and its value, these sentences contain flagrant contradiction. Surely it is absolutely immaterial to me whether the community takes my land or takes the whole value of my land? I understand Mr. Tulley to mean that although the community would not expropriate my land—that is, take it for nothing—it nevertheless ought to take every cent of the value of the land. In other words, the community would not take my land, but it would compel me, if I wanted to retain it, to pay to the community its whole value—I presume, on the instalment plan. That proposal, so far as an owner is concerned, is precisely the same as if the land were expropriated; and I add that "I have never heard of any more flagrantly dishonest proposal than that of the single-taxer."

Why Japan Entered the War.

[Letters of Mr. Ewart and the Japanese Consul General appeared in *The Ottawa Citizen*, and because of their importance were reproduced in *The Canadian Nation*.]

Mr. Ewart's First Letter.

According to newspaper report of the address of Dr. Bates to the Ottawa Rotary Club:

"Speaking of Japan, Dr. Bates told them to remember that Japan entered the war on Britain's side within 48 hours after Britain had declared war. This outstanding fact should not be forgotten in whatever arrangements were made with regard to that country."

Japan entered the war for two purely self-regarding purposes:

(1) In order that she might acquire the Shantung properties which Germany had stolen from China; and (2) In order that she might thereby rid herself of a powerful competitor in Far East imperialism.

The Consul's First Letter.

With regard to the above I wish to state the following facts

(1) Japan entered the war at the express request of Great Britain; (2) The Japanese Government officially notified the Chinese Government of their readiness to return Tsing-tao, and are now awaiting a reply from the Chinese Government.

I wish to know what Mr. Ewart would say if Japan had refused the request of Great Britain and stood aloof during the war.

Mr. Ewart's Second Letter.

Why did Japan enter the war? Well it was something like this: London cabled Tokio, 'Will you be kind enough to join us in our war against Germany?' And Tokio replied, 'Certainly; with pleasure.' No, Mr. Consul, you have been misinformed. Japan did not enter the war until she had come to an understanding with the United Kingdom as to what was to result from Germany's extrusion from China, not until (as stated in the Japanese declaration of war) after the two governments had had 'full and frank communication with each other.' And 'what was to result' was what did result, namely, Japanese occupation of what Germany had stolen from China.

What Dr. Bates refers to as 'Japan's faithfulness'—faithfulness to herself—was, in various ways, made perfectly clear. China, for example, was anxious, at an early stage of the war, to enter it upon our side. Japan forbade her. Why? Because in that event the Shantung properties would have reverted to China; and China, with a seat at the peace table, would have caused unpleasant embarrassment. Even without a seat, she made more trouble than Japan approved.

But the war progressed, China's assistance became increasingly necessary. German ships were interned in Chinese harbors, and the Entente Powers needed them. China could supply millions of laborers, and the entente Powers needed them. Pressure was applied to Japan; but only after she had secured written promises that she should have Shantung, as well as some of the German islands, would she remove her inhibition. Stating her terms, she said: 'Under these conditions, the Imperial Japanese Government proposes to demand from Germany, at the time of the peace negotiations, the surrender of the territorial rights and special interests Germany possessed before the war in Shantung and the islands north of the Equator in the Pacific Ocean.'

To this the French Government assented; but in the written reply stipulated for the *quid pro quo*: 'M. Briand demands, on the other hand, that Japan give its support to obtain from China the breaking of its diplomatic relations with Germany, and that it give this act desirable significance. The consequence of this in China should be the following:'

There was, of course, no difficulty with the British Government. The 'full and frank communication with each other' had already provided for Japan's enrichment. Sir Edward Grey replied 'with pleasure' to the request of the Japanese Government for an assurance that they will support Japan's claims in regard to the disposition of Germany's rights in Shantung and possessions in the islands north of the equator on the occasion of the peace conference.' Russia gave a similar assurance, and Italy promised to raise no objection.

The Consul has also been misinformed as to Japan's present attitude towards Shantung. He says: 'The Japanese Government officially notified the Chinese Government of their readiness to return Tsingtao, and are now awaiting a reply from the Chinese Government.' If such an offer had been made, there would be no 'awaiting a reply.'

At the peace conference strenuous efforts were made by China, and well sustained by President Wilson, in order that, by the treaty,

the Shantung and other properties should be vested in China; and it was only because of dread that Japan would withdraw from the conference that articles 156 to 158 provided that they should be vested in Japan. President Wilson gave way.

Japan, although asserting that she intended (upon unrevealed conditions) to return the properties to China, absolutely refused to insert in the peace treaty an agreement to that effect. Since the peace treaty Japan has frequently stated that she is willing—not to return, but to enter into negotiations with China with reference to the return of the properties; but China, well aware of the sort of terms which Japan would impose upon her, has up to the present declined to negotiate. She is right. She does not forget the twenty-one demands of January 18, 1915, nor the threats with which they were accompanied—demands of which the following were three:

“The central government of China shall employ influential Japanese subjects as advisers for conducting administrative, financial, and military affairs.

“China and Japan shall jointly police the important places in China, or employ a majority of Japanese in the police department of China.

“China shall purchase from Japan at least half the arms and ammunition used in the whole country, or establish jointly, in Japan, factories for the manufacture of arms.”

In Japan's hands China is helpless. China knows it. So does Japan.

The Consul's Second Letter.

With reference to Mr. Ewart's letter which appeared in your paper this morning about Japan, I am constrained to say that the pressure of my official duties does not allow me to go into much further discussion with him on this subject, but as I am said to be misinformed on these important matters, I wish to say the following:

My knowledge of the subject has been gained through the position which I held at the Foreign Office of Japan for seven years, as one of the secretaries, during which time the war broke out in 1914, and I have positive official knowledge that Japan entered the war almost immediately at the express request of Great Britain, communicated to the Japanese Government by His Excellency Sir Conyngham Greene, the then British Ambassador to Japan, without waiting, as Mr. Ewart

states, to 'come to an understanding with the United Kingdom as to what was to result from Germany's extrusion from China.'

I wish to state that I would not dream of making a statement regarding any action of the Japanese Government without positive official knowledge thereof, and I resent very much that it should be said that I am misinformed.

Japan refused to insert articles about the return of Tsingtao to China in the Peace Treaty because the return was already promised by Japan in 1915, and she had declared her intention of abiding by this promise several times. Japan wants to return Tsingtao of her own accord, and did not, as a great nation, wish to have the disgrace of being coerced by other Powers. Japan must wait for the reply of China with regard to the return of Tsingtao, because Tsingtao cannot be left without some form of Government control, and also because of the fulfilment of such conditions as to make it a port for foreign commerce and residence, etc.

Allow me to say that it seems ridiculous, and almost insulting, to suppose that a Japanese Consul-General, even though of very ordinary intelligence, were less informed on those important matters of his own country than outsiders, whose source of information is mostly from newspaper reports and magazine articles, which are very often apt to be written with some purpose in view. I certainly do not make any statement about these matters unless I know it to be absolutely correct.

I quite appreciate the fact that Mr. Ewart is very well read, but one must remember, in these days of propaganda against both Great Britain and Japan, especially by such publications as Hearst's, that it is well to guard oneself against forming erroneous conclusions.

Mr. Ewart's Third Letter.

In his first letter the Japanese Consul said: 'Japan entered the war at the express request of Great Britain.' And as that appeared to me to exclude the idea of previous bargaining, I ventured to say that the Japanese Consul had been misinformed. I added that Japan entered the war only after the two Governments had had 'full and frank communication with each other.' I took that statement not from any Hearst publication, but from Japan's declaration of war against Germany. The Consul does not now dispute my statement. He does, however, say that Japan entered the war without waiting (as I had

said she did) to 'come to an understanding with the United Kingdom as to what was to result from Germany's extrusion from China',—by which I meant what was to become of the German properties in Shantung. If that be not true, then there was no understanding, and Japanese and British troops co-operated in the dispossession of Germany without any agreement as to which of them should remain in possession, or as to whether the stolen property ought not to go back to its original possessor. May I ask, then, why was it that Japanese troops remained in possession, and the British troops withdrew? Why did they not both withdraw, and leave China to govern her own territory?

In his original letter the Consul said: 'The Japanese Government officially notified the Chinese Government of their readiness to return Tsingtao, and are now awaiting a reply from the Chinese Government.' Taking that to mean what it appears to say, I ventured to remark that the Consul had been misinformed—that what Japan offered was not to return, but to negotiate as to the return, of the Shantung properties. I gather from the Consul's later letter that he agrees with what I say. If he does not, I can overwhelm him with quotations, not from Hearst publications, but from official documents.

As a reason for Japan's objection to the insertion in the Peace Treaty of a stipulation that the Shantung properties were to be returned to China, the Consul says that the return had been promised in 1915, and that 'Japan wants to return Tsingtao of her own accord, and did not, as a great nation, wish to have the disgrace of being coerced by other powers.'

But (1) if Japan had been willing to return the properties there would have been no suspicion of coercion; (2) there was no untrammelled promise in 1915; (3) two years after 1915, Japan insisted upon obtaining assurances from the Allies that the properties should go to Japan; and (4) Japan threatened to withdraw from the Peace Conference if she did not get them by the Peace Treaty. I say so not on the authority of any Hearst publication, but on the testimony of President Wilson. If Japan had wished to return the properties to China, why did she insist that by the treaty they were not to go direct to China?

I observe that the Consul makes no reply to my assertion that China was anxious to enter the war upon our side, and that Japan forbade her, for the reason (among others), as I suggested, that in that

case the Shantung properties would at the Peace Conference revert to China instead of being allotted to Japan.

The Consul makes no reply, either, to my defence of China's unwillingness to negotiate with Japan, upon the ground of former experience. The twenty-one demands of 18th January, 1915, of which I quoted three, may be seen in sufficiently authentic form—for them, one need not go to Hearst publications. I repeat that in Japan's hands China is helpless. China knows it. So does Japan.

May, 1920.

Canada's Minister Plenipotentiary.

The recent announcement of the agreement between the British and Canadian governments with reference to the appointment of a minister plenipotentiary at Washington does not mark the commencement of Canada's diplomatic activities. As long ago as 1887, Sir Charles Tupper broke through all Foreign Office rules by personally going to Washington and talking over with Mr. Bayard a fishery trouble. The correspondence which passed between the two men led to the formal negotiations with the United States in which Sir Charles was associated with Mr. Chamberlain.

In connection with our negotiations with Spain, Sir Charles pushed our advance still farther, and our right to conduct the negotiation of trade treaties was definitely recognized in connection with Mr. Fielding's and Mr. Brodeur's activities in regard to the French treaty in 1907.

In 1909, the Dominion passed a statute appointing a Secretary of State for External Affairs which provided that he should

have the conduct of all the official negotiations between the government of Canada and the government of any other country in connection with the external affairs of Canada, and that he should be charged with such other duties as may from time to time be assigned to the Department by order of the Governor in Council in relation to such external affairs, or to the conduct and management of international affairs or intercolonial negotiations so far as they may appertain to the government of Canada.

In 1910, a still more important step was taken, an arrangement being made between the United Kingdom and the United States by which all questions of difference between Canada and the United States might be referred to a joint commission composed of three Canadians

(appointed not by the British government, but by ourselves) and three Americans. Article 10 commences in this way:—

Any questions or matters arising between the High Contracting Parties involving the rights, obligations or interests of the United States or of the Dominion of Canada either in relation to each other or to their respective inhabitants may be referred for decision to the International Joint Commission by the consent of the two parties, it being understood that, on the part of the United States, any such action will be by and with the advice and consent of the Senate, and on the part of His Majesty's Government with the consent of the Governor-General-in-Council.

The appointment of a Canadian Minister Plenipotentiary at Washington is another step in the right direction, and it is advisable that the Canadian public should become aware of the full significance of the arrangement. There are several points to be noted.

Ambassador and Minister Plenipotentiary.—Our representative is not to be an ambassador. He is to be a diplomat of the second rank, namely, a minister plenipotentiary. An ambassador represents the king's person as well as the king's affairs. A minister is entrusted with the conduct of the king's affairs only. Originally, as between sovereigns, there were only ambassadors. The reason for the appointment of ministers is thus stated in Vattel's *Law of Nations*:—

It was likewise the punctillio of ceremony which gave rise to this innovation. Use had established particular modes of treatment for the ambassador, the envoy, and the resident. Disputes between ministers of the several princes often arose on this head, and especially about rank. In order to avoid all contest on certain occasions when there might be room to apprehend it, the expedient was adopted of sending ministers not invested with any one of the three known characters. Hence they are not subjected to any settled ceremonial, and can pretend to no particular treatment. . . . For instance, according to the general usage of all Europe, it is the peculiar prerogative of an ambassador to wear his hat in presence of the prince to whom he is sent.

Although the American constitution gave to the President power to appoint ambassadors and other officers, it was probably because of the peculiar representative capacity of the ambassador that none was appointed until 1893, when Thomas F. Bayard became the first American ambassador. It may be noted that it is not ambassadors who sign treaties, but persons specially appointed for the purpose.

Appointment of the Minister, etc.—It is very important to observe that the minister plenipotentiary is to be appointed by the King "on the advice of His Canadian Ministers," and that he shall act "upon instructions from," and report "direct to the Canadian government."

One would have expected that if the King is to act "on the advice of his Canadian ministers," he would be brought into direct communication with those ministers—under the circumstances, through the medium of our resident Minister in London. That, however, appears not to be the intention. During the debate, Dr. BELAND put the question directly to Mr. Doherty, saying:—

Do I understand that this recommendation will go direct to His Majesty without first being submitted to the British Government? In other words, is the appointment to be made by His Majesty the King on the recommendation of the Canadian Government without the question being referred to the English or Imperial Government?

Mr. Doherty's reply was as follows:—

We have no doubt that His Majesty will not withhold from his British ministers his action in connection with the matter, but the statement is perfectly clear that the person to be appointed is to be appointed on the advice of his Canadian ministers just as the ministers plenipotentiary at the Peace Conference were. I am not suggesting, and I do not know that there is occasion to suggest, that it is impossible, that, if the ministers of the United Kingdom see some reason why they should offer an objection, or possibly the ministers of other dominions see some reason for opposition, they can suggest it. I am not going into that. The proposed channel by which the advice gets to His Majesty does not alter the fact that it will be the advice of His Majesty's Canadian ministers.

Then the following colloquy took place:—

Dr. BELAND: "In other words, according to the Government's understanding of the appointment of the minister at Washington the Canadian Government is not supreme as the adviser of His Majesty?"

Mr. DOHERTY "As far as I understand it the Canadian Government is supreme as the adviser of His Majesty. . . . I can see no room for suggesting even a doubt that the advice of the Canadian ministers is to be supreme as to who shall be the Canadian minister or plenipotentiary."

Dr. BELAND: "So that the recommendation will go direct to His Majesty?"

Mr. DOHERTY: "Whatever is the regular channel by which the communications reach His Majesty."

Mr. LAPOINTE: "Hear hear; that is very diplomatic."

All that is, of course, extremely unsatisfactory. The advice of our government will not be made direct to the King. On its way to him, objection to our advice may be made by British ministers, or the ministers of any Dominion. In effect, it is expected that we shall act not independently, but in a manner agreeable to the British government. Dr. Beland might very well have inquired, also, as to the

source from which will issue the credentials of our Minister, and whether the signature will be that of "The King of The United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India," or as it ought to be "The King of Canada."

Canadian Matters.—The agreement indicates that the work of the minister plenipotentiary shall be confined to "matters of purely Canadian concern." That language leaves much room for contention. In one sense, nothing which affects Canada can be a matter of indifference to the United Kingdom; and certainly nothing which affects the relations between Canada and the United States can be said to be of no concern to the United Kingdom. If at any time we wish to do something which the British government disapproves, we shall be told, as on former occasions, that we must expect no support.

Chargé d'affaires.—During the absence of the British ambassador, the minister plenipotentiary is to

take charge of the whole Embassy, and of the representation of Imperial as well as Canadian interests.

While so acting, the Canadian will not be an ambassador; he will be a *chargé d'affaires*; and although *chargés* are usually credited only to the Minister of Foreign Affairs, the agreement provides that the minister plenipotentiary is to be "accredited by His Majesty to the President." The fact, that, under certain circumstances, a Canadian (as a British subject), instead of an Englishman, an Irishman, or a Scotchman, may be empowered to act as British diplomatic representative at Washington, is of course devoid of political significance. But as part of the present arrangement it derives importance from the fact that the particular Canadian selected for the purpose is to be the man who, prior to undertaking the duty, had been acting as minister plenipotentiary for Canada. That means that, while attending to Canadian affairs, the minister plenipotentiary will also be an understudy for the ambassador; which probably means that the Canadian is to be assigned rooms at the British embassy; that he is to work in close touch with the British embassy; and that he is through influences of social and other character, to be kept in a position of subordination. Sir Robert Borden's view (as stated in the House) is that our minister plenipotentiary is to act

not in opposition to, but in co-operation with the British ambassador.

We know what that means. The position of a chief clerk in Canadian affairs, under the direction, or at least influence, of a British ambassador, is not one which would very well comport with the dignity of a Canadian gentleman.

Diplomatic Unity.—Since commencing to observe the course of international affairs, I have not seen any reason for agreeing with statements frequently made as to the superiority of the American over the British negotiator. Nothing could have been more dexterous and skilful in the management of international affairs during the last two years than the work of Mr. Lloyd George, Sir Robert Cecil, and others on the British staff. Remember what happened to ourselves. With, it is said, great difficulty, Dominion representatives obtained British support for the recognition of a certain status for the Dominions in connection with the Peace Conference and the execution of the peace treaty; and when, finally, the British government made surrender, they completely nullified the concession by putting India in the same position as the Dominions. Instead of having been elevated, as we had wished, to national status, we were dropped to the position of London-governed India. I take off my hat to the *finesse* of that stratagem.

In the same way, when now, after several years, the Canadian ministers have obtained the right to appoint a minister plenipotentiary to Washington, the British government, while surrendering to that which would be almost complete recognition of Canadian independence, not merely arrange for British control of our advice to the King, and as far as possible for supervision of our minister, but carefully insert a safeguarding proviso:—

The new arrangement will not denote any departure either on the part of the British Government or of the Canadian Government from the principle of the diplomatic unity of the British Empire.

A breach in the “diplomatic unity” is declared to be not a breach, and a long step toward Canadian independence is declared to be not a step at all. Mr. Rowell, during the debate on 17 May last, rightly said that the arrangement involved a “constitutional departure.” But if so, the departure is most undoubtedly from the “principle of the diplomatic unity of the British Empire.” If all the Dominions had diplomatic representatives at Washington, would there still be unity? And would unity continue even though all the Dominions had ministers plenipotentiary at all the capitals?

Comment.—These countervailing derogations from the concessions are annoying. They indicate the very natural determination of the British government to keep control of us in every way possible. As in all previous history, surrenders are but grudgingly conceded. We must comfort ourselves with the consciousness of real progress made along the path to independence. The obstructions are disappearing.

June, 1919.

"The Imperial War Cabinet" and Russia.

"The Imperial War Cabinet" was, as everybody now knows, a "Cabinet" only for the purpose of imperialistic propaganda. To meet obvious criticism of the name attached to mere meetings of allies for the purpose of agreeing upon war operations, Sir Robert Borden suggested that the "Cabinet" was a "Cabinet of Governments," but the suggestion was not a happy one, for, of course, a cabinet is composed of men, and cannot possibly be composed of governments. A further effort to justify the use of the word "Cabinet" by declaring that it was in reality "a Cabinet of Policies" was still more ridiculous. One cannot imagine a number of abstract Policies meeting (I suppose) in some abstract room, and consulting as to what they should do.

Whatever its name, it was, at all events, to be permanent—so we were told. In a letter to Mr. Lloyd George (30 April, 1917), Sir Robert Borden said that it was

an indubitable advance in the development of constitutional relations, and I am confident that the usage thus initiated will gradually but surely develop into a recognized convention.

In his reply (May 2), Mr. Lloyd George said:

I believe that this new experiment will prove, as you suggest, a permanent convention of our constitution.

But it is quite impossible that these men should have thought as they wrote. The meetings of the representatives of the different governments were for war purposes only, and, necessarily, with the cessation of war, they ceased. Replying to a question in the House of Commons (May 4, 1920):

Is it not then a fact that there is no cabinet organization in active and continuous operation working for the consideration of imperial matters of mutual concern to us and the Dominions?

Mr. Bonar Law replied:

It is a fact. The reason is that the Ministers of the Dominions have not thought suitable to have a representative.

The "fact" is no doubt a fact. But the "reason" is not that given by Mr. Bonar Law. It is that "The Imperial War Cabinet" has ceased to exist.

We were told too, that "The Imperial War Cabinet" would give to the Dominions not merely a consultative voice, but a real share in the determination of imperial policy. Nothing could have been further from the truth. At the meetings of the ministers, the Dominions no doubt very properly took part in consultation, but they had no share, and could have had no share, in arriving at conclusions. The Imperial Cabinet remained solely responsible to the Imperial Parliament, and there was no collective responsibility, and could be none.

Not only was the assertion as to the position of Dominion ministers misstated, but it was only upon such occasions as the British government thought advisable that meetings of "The Imperial War Cabinet" were held. For example, the first series of meetings, of which there were fourteen, extended between March 20 and May 2, 1917. Then, after the lapse of thirteen months, the second series commenced on June 11 and lasted, I believe, till July 30, 1918. The third series commenced November 20, 1918, and, after meeting twelve times, adjourned on December 18. These meetings were, of course, summoned by Mr. Lloyd George, and that there have been no further meetings is merely because there has been no later summons.

The sporadic character of these meetings accounts for the fact that many decisions of the very highest importance were arrived at in the absence of consultation with the Dominion representatives. Among those decisions, I may mention the following:

1. The terms of the armistice, and the general terms upon which Germany was asked to lay down her arms, were all settled during the interval between the second and third of the sessions above referred to. Mr. Hughes, the Australian Premier, was in London at the time, but was not consulted. He knew nothing of what was being done (as he bitterly complained) until, in common with everybody else, he read the news in the London newspapers.

2. Taking advantage of the disruption of Russia, the British government entered into treaty with Persia by which the Russian

interests in the northern part of Persia were summarily terminated. We complain, and properly complain, that Japan took advantage of the Russian disruption in order to possess herself of the north part of the island of Sakhalin, of Vladivostock, and of other Russian territory—took possession, without a shadow of right, of territory that belonged to a very recent ally of Japan. But the United Kingdom played exactly the same game with regard to Persia; and, by doing so without reference to the Peace Conference or to the League of Nations, incurred the resentment not only of Russia, but of France and the United States. I sincerely trust that Sir Robert Borden was not a party to that transaction.

3. I have little doubt that the Dominions were not consulted, either, with reference to the Russian internal question. If there is a point of foreign policy upon which the statesmen of the United Kingdom have appeared to be in complete harmony, it is that of non-intervention in the internal affairs of foreign countries. When the French revolution was flaming up, and Prussia and Austria (acting upon contrary principle) invaded France for the purpose of re-establishing monarchical interest, Pitt declined to co-operate, declaring repeatedly that the British people had no right to dictate to the French people the form of government which was to exist in France.

Recent proceedings with reference to Russia seem to verify Metternich's definition of non-intervention, which, he said, was "a metaphysical and political phrase which meant almost exactly the same thing as intervention." Not having the slightest right to prescribe to the Russian people their form of government, the United Kingdom and France took sides against the Soviet administration. They supplied Denikin, Koltchak, Korniloff, and Wrangel with arms, ammunition, advice, and military officers. British troops were landed at Murmansk. And afterwards the Poles were assisted in their attempt to subvert the Soviet government. These proceedings have had the same inevitable result as was produced by the invasion of France by Prussia and Austria in July, 1792, namely, to strengthen the government attacked, to consolidate national feeling, and to produce not merely successful defence against subverting efforts, but counter-invasion of foreign territory.

In all this, France has been actuated by financial motives. Her people hold enormous millions of Russian bonds, and she desires establishment in Russia of some form of government which would be certain

to make payments. The interest of the United Kingdom, on the other hand, was that which, until recently, had always dominated her policy in the Near and Middle East, namely, freedom from menace by Russia. It was Mr. Lloyd George himself who with a *naïveté* quite unusual for him, gave as a reason for British operations the following:

Denikin and Koltchak are fighting for two main objects. The first is the destruction of Bolshevism and the restoration of good government. Upon that he could get complete unanimity amongst all the forces, but the second is that he is fighting for a reunited Russia. Well, it is not for me to say whether that is a policy which suits the British Empire. There was a very great statesman, a man of great imagination, who certainly did not belong to the party to which I belong (Lord Beaconsfield), who regarded a great, gigantic, colossal, growing Russia rolling onwards like a glacier towards Persia and the borders of Afghanistan and India, as the greatest menace the British Empire could be confronted with.

Mr. Lloyd George, by his opposition to the Soviet government, had produced the probability of an attack upon Persia; an advance towards Afghanistan; and consequent insecurity both to India and to Mesopotamia. He wished, therefore, that Russia should be disorganized and be placed under a variety of mutually antagonistic governments. He failed and had to face the penalty.

All question as to responsibility for the war between Russia and Poland has recently been put to an end by another statement of Mr. Lloyd George, who, on July 22, said in the House of Commons:

I am not going to enter into a discussion of the Polish action in the past. I have expressed my mind very freely about it. I say at once that I think their action in the course of the year very reckless and foolish, and I protested against it.

Notwithstanding that opinion, the British and French governments supplied the Poles with the money necessary for their attack upon Russia, and sent shiploads of munitions to Dantzig for the purpose of equipping the Polish army. Now that the Poles have been beaten, Mr. Lloyd George tells us that he is in consultation with M. Millerand for the purpose of sending British and French armies against Russia.

I should be sorry to think that the Canadian government has been a party to the policy and the operations which now appear to have brought the United Kingdom and France to the very verge of another enormous war, a policy not merely foolish, and not merely purely selfish, but one—since Russia until lately was one of the Entente Allies—peculiarly ungenerous and (the word is not too strong) disreputable.

August, 1920.

Mandates and Grabs.

The 22nd article of the League of Nations' Covenant commences with the following sentences: (*Italics now added*).

To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that *the well-being and development of such peoples form a sacred trust of civilization* and that securities for the performance of this trust should be embodied in this Covenant.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or geographical position can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League.

Among the other provisions of the article are the following:

In every case of mandate, the Mandatory shall render to the Council an annual report in reference to the territory committed to its charge.

The degree of authority, control, or administration to be exercised by the Mandatory shall, if not previously agreed upon by the Members of the League be explicitly defined in each case by the Council.

It thus appears that the mandatory scheme was intended to supersede the old plan of imperialistic exploitation. For the future, the governments of mandated territories were to have, as their sole object, "the well-being and development" of the inhabitants as "a sacred trust of civilisation." The thirty-two members of the League were to apportion the mandates among such of themselves as were best fitted for the application of Golden Rule principles to subordinate peoples. The terms of the mandates would be scrupulously adapted to the effectuation of the beneficent purposes in view. And the League itself would exercise proper supervision over the actions of their mandatorics.

Evidently nothing of the kind is to happen. We now know what is being done with the conquered territories. Very clearly, all of them that are of any value, with some trifling exceptions, are being allocated to the United Kingdom and France; and this is being done not by the League, but by the men who for the present compose what is called the Supreme Council—namely, Mr. Lloyd George, M. Millerand, and Signor Giolitti; for Japan having secured what she wanted now takes no substantial interest in the proceedings, and the United States has

not as yet agreed to the League. Under these circumstances, it is very evident that what is taking place is a mere matter of bargaining between the United Kingdom, France, and Italy, and that the mandates are going principally to the United Kingdom and France, while Italy is being compensated by acknowledgment, so far as is at all possible, of some of her unreasonable claims.

Recent debates in the British parliament make clear that not merely are these mandates being distributed by the diminished council, but that the documents themselves are being drafted by the proposed mandatories, and reciprocally interchanged and agreed to. The governments admit that the documents are to be submitted to the League, but they evidently assume that this is only a matter of form, and upon that assumption they are proceeding to embody their log-rolling agreements in formally executed documents, perusal of which will show us to what extent the aspirations of article 22 of the Covenant are being carried into actual practice.

Mesopotamia, etc.—France having agreed that Mesopotamia, which heretofore has managed its own affairs, is to be placed under a British mandate, the United Kingdom has agreed as follows:

The British Government undertake to grant to the French Government or its nominee 25 per cent. of the net output of crude oil at current market rates which His Majesty's Government may secure from the Mesopotamian oil fields, in the event of their being developed by Government action; or in the event of a private petroleum company being used to develop the Mesopotamian oil fields the British Government will place at the disposal of the French Government a share of 25 per cent. in such company. The price to be paid for such participation is to be no more than that paid by any of the other participants to the said petroleum company. It is also understood that this said petroleum company shall be under personal British control.

If a company is constituted,

The native Government or other native interests shall be allowed, if they so desire, to participate up to a maximum of 20 per cent. of the share capital of the said company.

No other nation is to have any share in the product of mandated Mesopotamia.

The two governments agreed also to co-operate on a fifty-fifty basis in the oil products of Roumania and the territories of the old Russian empire. And each government is to have certain rights with reference to the acquisition of oil concessions in certain of the colonies of the other government. Indeed, the agreement is a far-reaching one

for co-operation between the two most powerful nations in Europe for joint benefit in the unappropriated oil fields of a large part of the world. Sharp opposition to those exclusive schemes is appearing in the United States.

It would be interesting to know whether the Canadian government had any knowledge of the making of this agreement. It is hardly possible, one would think, that Canada would have agreed that the United Kingdom should, for its own benefit, make this extremely important arrangement with France. For one must not overlook that the agreement is not between the British Empire and France, but between Great Britain and France. Great Britain well knows how to take care of herself. Did Canada know that she was being left out of the arrangement? And, if so, did she agree?

Nauru Island.—Nauru is a small island in the south Pacific. It is only about eight miles square, but it has, as Colonel Leslie Wilson (Parliamentary Secretary to the British Ministry of Shipping) said in the British House of Commons on 16 June,

the largest reserves of high-grade phosphates in the world. The lowest estimate of the quantity visible at the present time was at least from 80,000,000 to 100,000,000 tons.

In its neighborhood is Ocean Island, with a visible supply of about 15,000,000 tons, in respect of which rights had, prior to the war, been granted by Germany to the Pacific Phosphate Company.

This being the situation, the two islands, at the end of the war, lay (as one might have supposed) at the disposal of the League of Nations. What really happened to them was that the United Kingdom, Australia, and New Zealand clubbed together to buy out the Company, and that, as part of the log-rolling agreement with France, a mandate is to be granted in such a way that both islands become the monopoly of the United Kingdom and the two Dominions. A document to that effect has already been executed, and, according to its terms, phosphates are to be supplied to the three favored nations at cost price and to all other countries at the market price. Colonel Wilson ended his address in the House of Commons to this effect:

He was convinced there was never a sounder investment for this country and the Empire, not only from the financial point of view, but from the point of securing for all time an important raw material.

The effect, he said, was that

Australia and New Zealand would be able to obtain phosphates at £1 per

ton cheaper, and though phosphates could not be conveyed to this country at the same low rates, owing to its distance from Nauru, the cost would be far less than at present.

In his defence against vigorous attack upon the document, Mr. Bonar Law said that Canada had agreed to it. He said:

It was therefore discussed in the British Empire Delegation, at which all the Dominions were present, and an agreement was come to that this was the best method in all the circumstances of the case.

Among the attacks upon the document was the obvious objection that what was supposed to be a mandate for the purpose of exercising "a sacred trust of civilization" was merely

a vast national monopoly on the lines of the worst days of the predatory Imperialism of the past.

Mr. Ormsby-Gore (Conservative Unionist) declared that

The question was whether a Government acting under a mandate had a right to establish a Government monopoly of the raw materials of the territory over which it was trustee.

Lord Robert Cecil said that the agreement

was absolutely inconsistent with the spirit of Article 22 of the Convention. . . . That was a solemn agreement that we entered into in coming into the League of Nations. Let them not talk any more about scraps of paper. . . . We should be told that notwithstanding our professed desire for universal peace this was the old policy of grab.

Mr. Bonar Law having declared that

all the outcry about this small matter was due, he was afraid, to the belief his noble friend entertained that the Government was not sufficiently serious in its devotion to the League of Nations,

Lord Hugh Cecil replied that

It was the Government's habitual conduct that caused misgivings. They had earned a lamentable reputation for want of straightforwardness in their administration. He had known many Governments but not one that had such a bad reputation for speaking the truth and acting sincerely as the present Government.

And now what Canada's electors would like to know is whether Mr. Bonar Law was right in his assertion that all the Dominions had agreed (1) to the monopoly, and (2) to the exclusion of some of them from its benefits.

August, 1920.

Right and Justice vs. Interest.

On January 3, 1919, President Wilson, in addressing the Italian parliament, after referring to the friendship between Italians and Americans, said:

Then, back of it all, and through it all, running like the golden thread that wove it together, was our knowledge that the people of Italy had come into this war for the same exalted principle of right and justice that moved our own people.

The President, of course, received the applause which he wished to evoke, but his reputation for veracity suffered a serious decline. He was well aware—everybody now knows it—that Italian action was based purely upon what the Italian Prime Minister phrased as “sacred egoism (*sacro egoismo*); that for nine months after the outbreak of the war, Italy had held herself at auction between the contending Powers; that the bids were made in the form of promised accessions of territory; and that the final bid of the Entente Allies was extremely generous of territory which they did not own.

Students of diplomacy and international relations are not astonished at the discrepancy between President Wilson’s statement and the acknowledged facts. It was the interest of the United States to uphold the Italian *morale*, and the President thought it wise to declare to the Italians that the ideals for which they were fighting were extremely glorious. If any student had not previously been morally calloused by his familiarity with the methods of diplomacy, President Wilson’s statement (because of his high character) must have completed the hardening process. At the same time, all students would acknowledge that the occurrence was perfectly in harmony with what their reading had taught them, namely, that, in the realms of diplomacy, right and justice count for nothing, or, at all events, for very little, when opposed to national interests.

Probably Canadians would be perfectly willing to accept this view as applicable to all nations except the British, but it is advisable that they should understand that, to the general rule, the British government is no exception. It is impossible in a single article to make lengthy review of diplomatic history, but I may refer to two notable incidents—one of very recent occurrence:

(1) For many years, including those of the Crimean war, the United Kingdom supported Turkey as against Russia. That meant,

at one time (1878), the indefensible spoliation of Roumania; the subjection of the Slavs of Bosnia and Herzegovina to the domination of Germans and Magyars; and the reimposition of the cruel tyranny of the Turk over millions of Christians but recently released by Russia; but it meant, or was supposed to mean, security for British possessions in the Near East. Right and justice were in one scale, and interest in the other.

(2) Lord Curzon, in a very recent speech in the House of Lords (August 4, 1920), when defending the terms of the proposed dismemberment of Turkey, said that his critic

would have left Armenia in *status quo*, putting wholly on one side the long, tragic record of cruelty and bloodshed which marked the connection of Turkey with that country during the first half-century.

The transfer of Palestine, under mandate, to the United Kingdom, Lord Curzon upheld upon the ground that

the condition of Palestine under the Turks for the last 500 years had been one of the greatest scandals of history, and yet now, when there was an opportunity to rectify this state of things . . . the noble Lord condemned the government.

The interests of humanity demanded that her power for evil should be curtailed if not destroyed.

Evidently, according to Curzon, considerations of right and justice made necessary the disintegration of the Turkish Empire and the release from her domination of all subject races. But, nevertheless, in the very same speech, he said

that in 1914, when the great war broke out, the Allied Powers guaranteed to Turkey the absolute integrity of her territories and the retention of her independence, provided only that she would maintain her neutrality.

Right and justice were in one scale, and interest in the other.

In both of these cases British interest outweighed the political freedom, the happiness, and the lives of millions of people who were not British. I am not complaining. To what extent statesmen should be guided by any other consideration than that of the interest of their own country, is a very difficult question. All that I wish to point out is that, as a matter of indisputable fact, all statesmen are so guided. And (this is the point of the story) British statesmen in their relations with Canada have never been, and never will be, otherwise influenced. Ought we to act otherwise?

September, 1920.

Mr. Meighen and "Class Consciouness."

At a recent meeting in the county of Hastings, Mr. Meighen is reported to have said:

I see only two classes, only two divisions, in the country. On the one side are those who hold their heads steady and walk firmly and erectly in the middle of the road, who learn from experience, who believe in industry, order and liberty, who still have faith in British institutions and principles, that have made us what we are to-day. And on the other side I see those who have surrendered to prejudice and class consciousness, to passion for change and experiment, whose minds are occupied in nurturing suspicion and hostility against other classes of the State. On the one side I see the builders of this country's foundations tried and true. On the other side those engaged in the cheerful occupation of tearing down. I put the question to you. Are you going to be a nation-builder or a nation-wrecker?

Mr. Meighen overlooked the fact that, probably, the largest class in Canada is composed of people who can very easily see that he is talking nonsense. Of course, he is well aware of that fact himself; but he so underrates Canadian intelligence as to imagine that very few others will observe it. Surely very few can fail to notice that, while Mr. Meighen says that there are only two classes in the country, he speaks of one of them as "nurturing suspicion and hostility against other *classes*," thereby contradicting what he has just said—that there is but one other class as against which suspicion and hostility could be nurtured, namely the class in which he claims membership.

Again, no one can overlook the fact that Mr. Meighen objects to "class consciousness"; that he says there are but two classes; and that we have only to add that Mr. Meighen is conscious of belonging to one of those classes in order to bring him within his condemnation of those who have surrendered to "class consciousness." If Mr. Meighen is conscious of belonging to one class in the community, can he fairly condemn other people for the same failing or virtue?

Then, what nonsense it is to categorize all Canadians in the way indicated by Mr. Meighen. He attributes to one of the classes the characteristics of holding their heads steady, of walking firmly and erectly in the middle of the road, of learning from experience. But surely every one in Canada, outside of asylums, can be characterized in the same way? He places also in that same class "those who believe in industry, order, and liberty." But does not everyone (again outside the asylums) believe in those things? People's conception of the words may differ, but the words and their conception of what is meant by the

words, they acclaim. Mr. Meighen attributes to the same class those who "have faith in British institutions and principles." But he is well aware that the political history of Canada exhibits consistent and continuous effort on the part of "the builders of this country's foundations" to get rid of British institutions—of aristocracies; of a state church; of a hereditary and ecclesiastical House of Lords; of a shackled Press; of Roman Catholic disabilities; of the prerogatives and undue influences of the Crown; of the gerrymandered electorate; of primogeniture; of imprisonment for debt; of the whole British colonial system. We have, of course, what is called responsible government, but that was unwillingly conceded only after two rebellions had made concession necessary. And if there is one man in Canada who has less claim than any other to being actuated by the ideal of "British fair play," it is Mr. Meighen—as witness the War-times Election Act.

Finally, what can excel in arrogance and effrontery Mr. Meighen's description of all those who agree with him as nation-builders, and those who do not as nation-wreckers? If Mr. Meighen has any sympathy with the upbuilding of Canada's nationhood, he has not declared it. The early reformers, as well as Sir John A. Macdonald, Sir A. T. Galt, Sir Etienne Cartier, Sir Charles Tupper, Sir Wilfrid Laurier and Sir Robert Borden, all helped to put Canada on her own independent feet. I am not as yet convinced that, with reference to this most vital of all Canadian interests, Mr. Meighen is not a nation-wrecker. My strong hope is that he is not.

September, 1920.

Renewal of Japanese Treaty.

The last of the war treaties between the governments of Great Britain and Japan is now terminable upon twelve months' notice; and it would be well that Canadians should consider what, in their interest, should be done with reference to the renewal of the treaty. For this purpose, the history of the treaty relations between the two countries ought to be considered.

The Treaty of 1902.—The treaty of 20 January, 1902, recognized the "special interests" of Japan in Korea, and the "special interests" of Great Britain in China; provided for respective interventions in those countries for the protection of their interests; provided also that if either of the parties,

in the defence of their respective interests . . . should become involved in war

with another Power, the other high contracting party will maintain a strict neutrality.

and that if while one of the parties is engaged in war, any other Power "should join in hostilities" against the party engaged, the other party "will come to the assistance and will conduct the war in common."

The treaty was aimed at Russia. Its purpose was to provide Japan with an opportunity for an uninterrupted duel with Russia. When ready, Japan proceeded with the programme, and, by crushing Russia, exalted the military preponderance of Germany in Europe. On the part of the United Kingdom the treaty was as short-sighted and absurd as could well be imagined, and, as soon as she realized what had happened, she entered into the negotiations with Russia which resulted in the creation of the Triple Entente.

The Treaty of 1905.—The objects of the treaty of 12 August, 1905, were declared to be:

(a) The consolidation and maintenance of the general peace in the regions of eastern Asia and India.

(b) The preservation of the common interests of all Powers in China, by insuring the independence and integrity of the Chinese Empire, and the principle of equal opportunities for the commerce and industry of all nations in China.

(c) The maintenance of the territorial rights of the high contracting parties in the regions of eastern Asia and of India, and the defence of their special interests in the said regions.

In this treaty a "special interest" of Great Britain was said to lie "in all that concerns the security of the Indian frontier." The previous recognition of British "special interests" in China was omitted, Japan did not wish to perpetuate her recognition of the British "sphere of influence" in the Yang-tsi-Kiang valley. Great Britain on the other hand recognized the right of Japan

"to take such measures of guidance, control, and protection in Korea as she may deem proper and necessary to safeguard and advance" her interests there.

The treaty also provided, by article 2, that:

If by reason of unprovoked attack or aggressive action, wherever arising, on the part of any other power or powers, either contracting party should be involved in war in defence of its territorial rights or special interests mentioned in the preamble of this agreement, the other contracting party will at once come to the assistance of its ally and will conduct the war in common and make peace in mutual agreement with it.

This treaty was signed six months after Russia's defeat at Mukden, and on the eve of the signing of the Russo-Japanese peace treaty. It was aimed partly at Russia and partly at Germany, in pursuance of the same British policy which had induced the Anglo-French treaty of the previous year.

The Treaty of 1911.—Although the treaty of 1905 was to last for ten years, it was superseded by the agreement of 13 July, 1911, which was to last for ten years, and afterwards until denounced by a twelve months' notice. The declared objects of this treaty were (for present purposes) identical with those of the treaty of 1905, and the principal reason for its signature was, no doubt, to extend the period of the alliance. Germany and France were at the moment at grips in connection with the second of the Morocco incidents.

Changed Situation.—Since 1911 the situation has undergone very important changes, and there can be little reason for renewal of the treaty. Observe the following:

(1) The treaty of 1902 was aimed at Russia, while the treaties of 1905 and 1911 were aimed at Germany and Russia. For defence against either of them, there can now be no reason for an alliance with Japan.

(2) Indeed, so far as Russia is concerned, Japan, on 20 June, 1916, signed a treaty with her by which it was agreed that,

In case the territorial or special rights in the Far East of one of the contracting parties, recognized by the other contracting party, are menaced, Japan and Russia will act in concert on the measures to be taken in view of the support or co-operation necessary for the protection and defence of these rights and interests.

Observe that while Japan had a treaty with the United Kingdom for the protection of the "special interests" of the United Kingdom against Russia, she (Japan) made an agreement with Russia for co-operation in case Japanese or Russian "special interests" were menaced by the United Kingdom. Japan reserved to herself the definition of "special interests" and "menace."

(3) The objects of the existing and previous treaties have been violated by Japan. In view of what she has done, it would be ridiculous to recite, in a new document, the determination of the parties to insure "the independence and integrity of the Chinese Empire." By no treaties can that be attained. By nothing but joint and determined

action on the part of the United Kingdom and the United States can further engulfment of China be stayed.

(4) No wrong is done to Japan by using language denunciatory of her methods and objects. One has only to quote some of the twenty-one demands which, on 18 January, 1915, she presented to China (with accompanying threats) and of which the following are three:

The central government of China shall employ influential Japanese subjects as advisers for conducting administrative, financial, and military affairs.

China and Japan shall jointly police the important places in China, or employ a majority of Japanese in the police department of China.

China shall purchase from Japan at least half the arms and ammunition used in the whole country, or establish jointly, in Japan, factories for the manufacture of arms.

(5) In the 1902 treaty, Japan recognized the "special interests" of Great Britain in China. Now, she asserts that the "special interests" there belong to her; and, by the exercise of some unusually dexterous diplomacy, she has obtained from the Secretary of State of the United States (2 November, 1917) a letter in which the following sentence occurred:

The Governments of the United States and Japan recognize that territorial propinquity creates special relations between countries, and, consequently, the Government of the United States recognizes that Japan has special interests in China, particularly in the part to which her possessions are contiguous.

(6) The principal change in the situation since 1911 is in the political status of Canada. For eighteen years, we have been in danger of being made the battle-ground between the United Kingdom and the United States because of the absurd commitment to Japan. At various times during that period, war between the United States and Japan was imminent. Japan was foreclosing China, and the United States was protecting her Pacific coasts from Japanese penetration. Neither would give way. Upon such subjects neither could submit to arbitration. Any incident might have led to United States troops crossing our boundary, because of the United Kingdom implementing her promise to Japan.

That situation can no longer be tolerated. Whatever excuses there may have been for the three past treaties, there is none for a fourth. The United Kingdom and Japan have no common interests in the East. Japan's purpose is to consummate her control of China. But yesterday

she was satisfied with Korea. Now she dominates a Pacific coast line of 1,500 miles, and stretches herself over Manchuria and Mongolia. Lake Baikal (1,500 miles inland) may halt her for a time on the west. Pekin is to-day writhing in the closing grip of the Japanese.

Once more must it be said that by nothing but joint and determined action on the part of the United Kingdom and the United States can further engulfment of China by Japan be stayed.

Canada's interests are bound up with those of the United States. If, in disregard of those interests, the United Kingdom continues her alliance with Japan, Canada must plainly assert that not that way can she proceed.

September, 1920.

Treaty Rights of the Japanese in Canada.

Besides considering what is to be done with reference to the expiring British war-treaty with Japan, Canadians ought to study very carefully their policy regarding the admission of orientals. The subject is one of interest to many parts of the world. For Canada, it is of special importance. The following observations may be of service to those desiring information.

Too many Chinese having arrived, a commission, composed of Messrs. Chapleau and Gray, was appointed in 1884, to make enquiries and to report. As a result of the report, a head-tax of fifty dollars was imposed upon Chinese immigrants—afterwards raised to one hundred dollars, and still further to five hundred dollars.

In 1894, by a treaty known as the "Treaty of Commerce and Navigation," between the United Kingdom and Japan, it was agreed that:

The subjects of each of the two high contracting parties shall have full liberty to enter, travel, or reside in any part of the dominions and possessions of the other contracting party, and shall enjoy full and perfect protection for their persons and property. (*American Journal International Law*, vol. 5, Supp., p.188).

It was also agreed that the subjects of each of the parties were to have, with respect to

the possession of goods and effects of any kind; to the succession to personal estate by will or otherwise; and the disposal of property of any sort in any manner whatsoever,

the same privileges and rights as native subjects. There was nothing in the treaty relative to the acquisition of land.

In 1900, the subject was investigated by another commission. By this time, too many Japanese were coming, and, inasmuch as Canada felt disinclined to impose a head-tax upon them, an arrangement was made by which the flow of their emigration

"would be so regulated . . . as not to exceed a reasonable figure" (Quoted from the speech of Hon. R. Lemieux, 21 January, 1908; *Hansard*, 1588).

The regulation was effected by a circular (2 August, 1900) from the Japanese Minister for Foreign Affairs, as follows:

To the Governors of the Prefectures.

You are hereby instructed to prohibit entirely for the time being the emigration of Japanese laborers for the Dominion of Canada or for the United States. (See the *Clute Report* of 18 February, 1902, p. 396).

A clause of the treaty above referred to specially provided that it was not to apply to Canada unless notice of her adhesion to it should be given within two years. It was not until after the expiration of the two years—indeed, until 26 September, 1905—that Canada determined to adhere to the treaty. A new convention, therefore, became necessary. It was signed 31 January, 1906, and was to remain in force until the lapse of six months after notice of termination. Sanction of the Canadian parliament being necessary, a bill for that purpose was introduced. It was passed on the assurance of Sir Wilfrid Laurier that the Japanese restriction upon emigration would protect Canada from an excessive influx. He urged also that Japan had become (1902) a war-ally of the United Kingdom.

The Japanese assurances upon which Sir Wilfrid relied were contained in letters from Mr. Nosse, Japanese representative in Canada. In one of these, Mr. Nosse spoke (19 March, 1904) of Japan having been "faithful to her promises." In another (9 May, 1905), he said that

the Japanese Government will always adhere to their policy of voluntary restriction on their people emigrants to British Columbia.

These two letters had been written in connection with Mr. Nosse's protest against some British Columbia legislation. His assurances were repeated in his letter of 18 September, 1905—eight days prior to the adoption by the Canadian government of its Order-in-Council adhering to the treaty.

Sir Wilfrid Laurier's expectations were not realized. As Mr. Lemieux said, in the speech already referred to, as soon as the convention became binding "the floodgates were thrown open wide." He gave the following figures: In 1904-5, there were 354 Japanese immigrants. In 1905-6, 1,922. In the last six months of 1906, 2,233. And in 1907, 8,125.

This great influx led to the appointment of Mr. Lemieux (12 October, 1907) as delegate to Japan—

with the object, by friendly means, of preventing the recurrence of such causes as might disturb the happy relations which have under the said treaty existed between the subjects of His Majesty the King in Canada and elsewhere and the subjects of the Emperor of Japan.

Mr. Lemieux brought back with him a letter (23 December, 1907) signed by the Japanese Foreign Minister, as follows:

In reply to your note of even date, I have the honor to state that although the existing treaty between Japan and Canada absolutely guarantees to Japanese subjects full liberty to enter, travel and reside in any part of the Dominion of Canada, yet it is not the intention of the imperial government to insist upon the complete enjoyment of the right and privilege guaranteed by those stipulations when that would involve disregard of the special conditions which may prevail in Canada from time to time.

Acting in this spirit and having particular regard to circumstances of recent occurrence in British Columbia, the imperial government have decided to take efficient means to restrict emigration to Canada. In carrying out this purpose, the imperial government, in pursuance of the policy above stated, will give careful consideration to local conditions prevailing in Canada, with a view to meeting the desires of the government of the Dominion as far as is compatible with the spirit of the treaty.

Although, as stated in the note under reply, it was not possible for me to acquiesce in all of the proposals made by you on behalf of the Canadian government, I trust that you will find in the statement herein made a proof of the earnest desire of the imperial government to promote by every means within their power the growth and stability of the cordial and mutually beneficial relations which exist between our countries. I venture to believe, also, that this desirable result will be found to have been materially advanced by the full exchange of views which have taken place between us, and it gives me special pleasure to acknowledge the obligations under which I have been placed by your frank and considerate explanations regarding the attitude and wishes of your country.

This assurance appearing somewhat indefinite, Mr. Lemieux, during his subsequent exposition in the House of Commons, was asked:

Will the Hon. Gentleman tell the House to what extent the Japanese government promised to restrict emigration?

He replied:

My hon. friend is too inquisitive. I will not answer; not from any disrespect for him, but because if I did answer, I would commit an act unworthy of a Canadian representative and unworthy of myself.

Why Mr. Lemieux should have treated the question in that way is not easily understood. Surely information such as that asked for ought to be given to parliament and to Canada.

The treaty of 1894 being about to expire, a new and much more elaborate one was agreed to by the United Kingdom and Japan on 3 April, 1911. For present purposes, the following are its principal provisions:

Article 1. The subjects of each of the high contracting parties shall have full liberty to enter, travel, and reside in the territories of the other, and, conforming themselves to the laws of the country:

1. Shall, in all that relates to travel and residence, be placed in all respects on the same footing as native subjects.

2. They shall have the right, equally with native subjects, to carry on their commerce and manufacture, and to trade in all kinds of merchandise of lawful commerce, either in person or by agents, singly or in partnership with foreigners or native subjects.

3. They shall, in all that relates to the pursuit of their industries, callings, professions, and educational studies be placed in all respects on the same footing as the subjects or citizens of the most favored nation.

4. They shall be permitted to own or hire and occupy houses, manufactories, warehouses, shops, and premises which may be necessary for them, and to lease land for residential, commercial, industrial, and other lawful purposes, in the same manner as native subjects.

5. They shall, on condition of reciprocity, be at full liberty to acquire and possess every description of property, movable or immovable, which the laws of the country permit or shall permit the subjects or citizens of any other foreign country to acquire and possess, subject always to the conditions and limitations prescribed in such laws. They may dispose of the same by sale, gift, marriage, testament or in any other manner, under the same conditions which are or shall be established with regard to native subjects.—(*American Journal International Law*, vol. 5, supp., pp. 177-8).

The treaty provided, as in the former case, that it was not to be binding on Canada unless notice of adhesion should be given within two years. That notice was given, but only after Mr. Nakamura, Japanese representative in Canada, had sent to Sir Robert Borden the following declaration (11 April, 1913):

The undersigned, His Imperial Japanese Majesty's Consul General of Ottawa, has the honor to declare that the Imperial Japanese Government are

fully prepared to maintain and intend to maintain with equal effectiveness the limitations and control which they have since 1908 exercised in regulation of emigration from Japan to Canada.

It will be noted, however, that the extent to which the Japanese have agreed to limit emigration is still a state secret. Why it should be, I cannot understand.

Some observations upon the situation, as above described will appear in the next number of *The Canadian Nation*,

October, 1920.

II.

As noted in the last number of *The Canadian Nation*, Japanese have, by treaty, extensive rights in Canada with reference to entry, residence, business, ownership of property—both goods and lands, &c. On the other hand, the Japanese government has promised to restrict the emigration from Japan; and Mr. Lemieux has refused to disclose the scope of the promise. Unofficially, we have been led to believe that the limit was 500 per annum.

Japanese Promise.—If this be the nature of the promise to which Mr. Lemieux referred, there is another which, curiously enough, came to us, through the Governor General, from the Colonial Office on February 5, 1908, as follows:—

The Japanese Ambassador communicated to me on January 21 the terms of the settlement with Canada on the subject of emigration, which were these:—

The Japanese Government to grant permission to emigrate to Canada to the following classes of Japanese subjects only:—

- (1) Those who have previously been in Canada, their wives and children.
- (2) Personal and domestic servants to the Japanese residing in Canada.
- (3) Contract laborers and agricultural settlers.

In each of the above consular certificates to be issued. In the case of contract laborers the consuls to issue certificates only when satisfied that such contracts had the approval of the Canadian Government; and in the case of agricultural settlers the certificate to be issued only at the rate of from five to ten laborers per one hundred acres of land owned by the applicants. (*Hansard*, 1912-3, pp. 6951-2.)

Here are several open doors. (1) If a Japanese has ever been in Canada (merely on a railway train), he, his wife and children are to be admitted as residents. American statesmen were more careful. Only

"former residents" of the United States can obtain "permission" to go there. (2) The "personal and domestic servants" frequently may be changed. Nevertheless all such are to be admitted as residents, and they, under the first clause, may afterwards bring in their wives and children. (3) A Japanese may lease a hundred acres, and forthwith may beckon to "five to ten laborers," whose wives and families soon follow them. Each of these new immigrants afterwards leases another 100 acres and brings in another 5-to-10. One Japanese brings, say, 7. The 7 bring 49. The 49 bring 343. The 343 bring 2,041. These bring 16,807. These 117,649. These a substantial part of the Japanese race. And so on. All may have their wives and children.

The Immigration Act.—Japan negotiated a Treaty of Commerce and Navigation with the United States in 1894, simultaneously with that agreed to with the United Kingdom, and it contained, for Americans, the following very important proviso:—

It is, however, understood that the stipulations contained in this and the preceding article do not in any way affect the laws, ordinances and regulations with regard to trade, the immigration of laborers, police and public security which were in force or which may hereafter be enacted in either of the two countries. (*Am. Journal Int. Law*, vol. 5, Supp., p. 108.)

Because there was no such saving clause in the British treaty, Canada declined to adhere to it; adopted an order-in-council (July 21, 1895) refusing; and maintained that attitude until Japan agreed, by protocol, to supplement the treaty in that respect. Our government then (September 26, 1905) agreed to adhere, and parliament (1907) sanctioned the action. Afterwards our parliament passed a statute which well illustrated the importance of the saving clause just referred to: (*Italics now added*)—

38. The Governor in Council may, by proclamation or order whenever he deems it necessary or expedient,—

(a) prohibit the landing in Canada or at any specified port of entry in Canada of any immigrant who has come to Canada otherwise than by continuous journey from the country of which he is a native or naturalized citizen, and upon a through ticket purchased in that country, or prepared in Canada;

(b) prohibit the landing in Canada of passengers brought to Canada by any transportation company which refuses or neglects to comply with the provisions of this Act;

(c) prohibit for a stated period, or permanently, the landing in Canada, or the landing at any specified port of entry in Canada, of immigrants *belonging to any race deemed unsuited to the climate or requirements of Canada*, or of immigrants of any specified class, occupation or character. (*Hansard*, 1912-3, p. 6956.)

No objection to this statute came from Japan. Acting under it, we could have excluded all Japanese by order-in-council. We could have discriminated between them and white men as we pleased.

Canada's Promise.—Under these circumstances, one would have imagined that when the new treaty was being arranged between the United Kingdom and Japan, the saving clause would have been incorporated. It was not. Once more we had to attend to our own interests, and tag on to the treaty our protection, as best we could. Sir Robert Borden commenced by drafting the following statute: (*Italics now added*)—

1. The treaty of April 3, 1911, between His Majesty the King and His Majesty the Emperor of Japan, set forth in the schedule of this Act, is hereby sanctioned and declared to have the force of law in Canada;
Provided that

(a) *Nothing in the said treaty or in this Act shall be deemed to repeal or affect any of the provisions of the Immigration Act.*

(b) Article VIII of the said treaty shall be deemed not to apply to Canada.

Sir Robert (February 7, 1913) sent a copy of this draft to Mr. Nakamura (the representative of Japan in Canada) with the following letter: (*Italics now added*)—

I have the honour to inform you that the Government are willing to submit to the Parliament of Canada a Bill by which Canada shall adhere to the Treaty of Commerce and Navigation between the United Kingdom and Japan, signed at London on the 3rd April, 1911.

2. The adherence of Canada would be upon the conditions and with the proviso set forth in the enclosed draft Bill which is submitted for the consideration of the Imperial Japanese Government.

3. The proviso that the treaty shall not be deemed to repeal or affect any of the provisions of the Immigration Act follows the language which was approved by the Imperial Japanese Government in relation to the recent treaty negotiated with the United States of America.

4. The Imperial Japanese Government are doubtless aware, as the fact is, that *the Immigration Act* applies to the immigration of aliens into Canada from all countries, including the British Empire itself, and *makes no discrimination in favor of any country*. It is not perceived, therefore, that your Government will have any objection to the embodiment in the inclosed draft Act of Parliament of the proviso, which has already been agreed to in the case of the United States. (*Hansard*, 1912-3, p. 6958, Sess. Paper 190: Vol. XLVII. Part I. 1913.)

To this Mr. Nakamura answered (March 5, 1913): (*Italics now added*)—

I have the honor to acknowledge the receipt of your note dated the 7th

ult., stating that your Government are willing to submit to the Parliament of Canada an Act by which Canada shall adhere to the treaty of Commerce and Navigation between Japan and Great Britain, signed at London on the 3rd April, 1911, and inclosing for the consideration of the Imperial Government a draft Bill setting forth the conditions and proviso upon which the adherence of Canada will depend.

Having reported the matter at once to my Government, I am now in receipt of a reply stating that the Imperial Government have no objection to the proposed Bill, and that they feel assured that the Immigration Act of Canada of 1910 being applicable, as stated in your note, to the immigration of aliens into the Dominion of Canada from all countries including the British Empire itself, *no discrimination will be made against Japanese subjects in this respect.*

Sir Robert replied, March 5, 1913; (*Italics now added*)—

I have the honour to acknowledge the receipt of your note dated the 1st inst., in relation to the Treaty of Commerce and Navigation between Great Britain and Japan signed at London on the 3rd April, 1911, in which you communicated to me the reply of the Imperial Japanese Government stating that they have no objection to the proposed Bill, and that they feel assured that the Immigration Act of Canada of 1910 being applicable to the immigration of aliens into the Dominion of Canada from all countries including the British Empire itself, *no discrimination will be made against Japanese subjects in this respect.*

I have the honor to inform you that the Government of Canada has received this reply with the greatest satisfaction, and that the proposed Bill will be introduced as soon as the standing business now engaging the attention of Parliament will permit.

What is the effect of these letters? On April 2, 1913, Mr. Pugsley argued that Sir Robert had surrendered our right, under our Immigration Act, to make such discrimination as we pleased, and Sir Robert argued otherwise. At one stage of the debate, the following interchanges occurred:—

Mr. PUGSLEY: What becomes of the assurance and understanding of this Government that there shall be no discriminating against the Japanese as compared with the subjects of the British Empire?

Mr. BORDEN: There was no such assurance; there was merely a statement that the Act had operation to all cases in the world, including the British Empire. (*Hansard*, p. 6997).

Sir Robert did not sufficiently distinguish between (1) the terms of the Act, and (2) action which might be taken in pursuance of it. The Act itself makes no discrimination. But it authorizes the Governor in Council to discriminate as he pleases. Sir Robert said that the letters referred to the Act. But he was clearly wrong, for, while in his first

letter he stated the effect of the Act, in his second he adopted, "with the greatest satisfaction," the language of Mr. Nakamura—
no discrimination will be made against Japanese subjects in this respect.

In other words, although the Act permits the government to make discrimination, "no discrimination will be made."

Land-ownership.—When Sir Robert Borden was asking parliamentary approval of the 1911 treaty (with his modification), he said:

So far as the interests of Canada are concerned the new treaty does not differ materially from the former one.

He was mistaken. The treaty of 1894 gave to the Japanese no rights of any kind with respect to the acquisition of land. The treaty of 1911 gave them (1) the absolute right—

to own or hire and occupy houses, manufactories, warehouses, shops, and premises which may be necessary for them, and to lease land for residential, commercial, industrial and other lawful purposes, in the same manner as native subjects.

It gave them also (2) the same rights as citizens of any other foreign country (on condition of reciprocity)—

to acquire and possess every description of property movable or immovable,

In the United States' treaty there is no clause comparable to this second clause. Californians regret the inclusion of the first clause. They will shortly vote upon a proposed amendment of their laws with reference to the holding of lands by aliens. Relations between the two countries are, in consequence somewhat strained. I may return to the subject.

Situation Unsatisfactory.—The present situation is, therefore, unsatisfactory in several respects:—

1. Treaties are made, not by Canada but by the United Kingdom. Being unsatisfactory, we cannot adhere to them, and we are driven to the adoption of various expedients by which our interests may in some degree be protected.

2. The effect of proceeding in this way is that certain provisions of the treaties are brought into conflict with the informal modifications.

3. The promise of the Japanese government with reference to limitation of emigration from Japan is unsatisfactory and, to a large extent, illusory.

4. Sir Robert's agreed limitation upon the power of the Governor in Council was. unwise.

Proper Action—It is not difficult to indicate what Canada ought to do:—

1. Now that she is (as our imperialist friends assert) a nation equal in status to the United Kingdom; now that on her own behalf she has signed a treaty to which all the great Powers are parties; now that she has through long practice established her right to negotiate directly with foreign Powers, Canada ought to make her arrangements with Japan, before any new treaties are entered into (instead of afterwards), and ought herself to embody those arrangements in appropriate diplomatic form, namely treaties.

2. Such treaties ought to contain the real agreement between the parties. The practice of interchanging qualifying and, sometimes, secret letters ought to be abandoned.

3. The existing promises are not such as ought to find place in any future treaty.

4. The provisions of the present treaty with reference to ownership of land, or any interest in it, ought not to be renewed.

5. That Canada ought to make her own treaties, and be bound by no others, applies to war-relations between the United Kingdom and Japan, as well as to treaties of Commerce and Navigation.
October, 1920.

III.

Those persons who are disposed to agree to a renewal of the treaty giving rights to Japanese "to enter, travel and reside" in Canada, and "to acquire and possess every description of property, movable or immovable" there, ought to observe three things: (1) that the inevitable effect of the establishment of an unassimilable race in territory occupied by another race is disastrous; (2) that for the jealousies, quarrels and conflicts which it produces, nobody (under present world conditions) is blameworthy; (3) that the objection to it is based not upon sentiments of race superiority or inferiority, but upon race differences. Look where you will and at what date you will, the effect is always the same. Study of present day conditions in South Africa and the United States is sufficient to convince anybody. The situation in Natal and the Transvaal has been dealt with in previous numbers of *The Canadian Nation*. Let us look at California.

The Treaty—The first article of the treaty between the United States and Japan of 21st February, 1911, provided as follows:

The Citizens or subjects of each of the high contracting parties shall have liberty to enter, travel and reside in the territories of the other, to carry on trade wholesale and retail, to own or lease and occupy houses, manufactories, warehouses and shops, to employ agents of their choice, to lease land for residential and commercial purposes, and generally to do anything incident to or necessary for trade, upon the same terms as native citizens or subjects, submitting themselves to the laws and regulations there established.

Evasive Methods—Although no right was given to buy or own land, or to lease land for agricultural purposes, yet by one device or another Japanese have succeeded in establishing themselves upon considerable areas of farm lands and in so doing have formed some Japanese Districts. To understand the methods employed, one must remember (1) that by United States law only persons with white or black skins are eligible for naturalization; but (2) by the United States constitution persons born in the United States whatever their color, are United States citizens; and (3) that there is no prohibition upon Japanese becoming shareholders in companies. Under these circumstances the methods which have been adopted are the following:

1. The children of Japanese being (as above) United States citizens, and so entitled to own land, the father purchases in the name of his infants—the younger the better—and becomes their guardian.
2. Companies are formed of Japanese shareholders and land is purchased by the company.
3. Purchases are made in the name of United States citizens, ostensibly as owners but really as trustees for Japanese.
4. Purchases are made in the name of United States citizens, ostensibly as owners, but really for the purpose of giving to the Japanese a pretended mortgage, with possession of the lands as security.

Proposed Legislation—For the purpose of putting an end to all these subterfuges, the people of California recently by referendum approved the adoption of legislation to the following effect:

Section 1. All aliens eligible to citizenship under the laws of the United States, may acquire, possess, enjoy, transmit and inherit real property, or any interest therein, in this State, in the same manner and to the same extent as citizens of the United States, except as otherwise provided by the laws of this State.

Section 2. All aliens other than those mentioned in section one of this act

may acquire, possess, enjoy and transfer real property, or any interest therein, in this State, in the manner, and to the extent, and for the purpose prescribed by any treaty now existing between the Government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise.

By Section 3, companies, of which a majority of the members are ineligible for citizenship, are to have only such rights in regard to land as are permitted by treaty. And persons ineligible for citizenship may become members of companies only as permitted by treaty.

Section 4 provides that no person ineligible for citizenship, and no company of which a majority of the members are ineligible, may be appointed guardian of property of which such person or company may not be the owner. The Public Administrator, or some other competent person is to be appointed.

Section 5 requires trustees for ineligible persons and their minor children to file annual statements.

Other clauses provide for escheat to the state of lands acquired in violation of the statute. And various penalties are imposed.

Resentment in Japan—California's action has aroused in Japan the most bitter resentment and hostility. Statesmen there, of the first rank, have voiced their indignation. Deputations have addressed the government urging the adoption of "a firm attitude." The government, on its part, announces that it "will push firmly the question of the racial equality" (so the press despatches). The Labor Unions have adopted resolutions pledging—

harmonious co-operation with the Japanese laborers of California in their insistence upon their just rights.

The newspapers echo popular sentiment and the *Kokumin* declares that

Japan now has borne all she can bear, and more than she should bear. There is a limit to patience.

Viscount Kaneko, a lifelong leader in the movement for American-Japanese friendship, and President of the American-Japan Society, who was recently selected as special representative of Japan in America to explain the Japanese attitude on various questions has said—

California, for the United States, will write an indelible impression into the minds of every man, woman and child in Japan, if it passes the anti-Japanese referendum. Such a law would be the death knell of the best feelings of the

two nations touching upon the sensitiveness of all Japanese, big and little. I do not predict war, but I must say as a friend of America that despite America's past kindnesses and well-appreciated acts of friendship, this would be wiped out, over night, if the California legislation is passed.

The Political Affairs Committee of the Kensei-Kai opposition has adopted the following resolution:

Resolved that the anti-Japanese land legislation in California is not merely a threat against the development of the Japanese nation abroad, but also a menace against the advancement of international friendship between the Empire and America.

Viewed either from the standpoint of humanity and justice, or the standpoint of Japan's right acquired by treaty stipulations, or from the principle of international friendship binding two neighboring nations, such unreasonable and unjust legislation cannot be tolerated.

The Imperial Government is requested to insist strongly upon Japan's right, and to protest against such legislation, frankly expressing the rightful reasons for objecting thereto, with the firm determination of accelerating a speedy solution of the pending question.

Finally, with a view to placing restraint upon too violent expression of public opinion, the government has now prohibited the holding of mass meetings.

United States Action—Impressed with the seriousness of the situation, the United States government has issued the following communiqué:

The movement in California to recast the State laws affecting alien land tenure has been receiving, since its inception, the close and interested attention of the Department of State. The relation of certain treaty provisions to the proposed measure is being discussed clearly and ably in California, and will doubtless prove an element in the State's decision as to the adoption or rejection of the proposed measure.

In the meantime the department has had numerous discussions of the most friendly and candid nature with the Ambassador of Japan, and it is believed he thoroughly realizes, as we have sought to make clear, that no outcome of the California movement will be acceptable to the country at large that does not accord with existing and applicable provisions of law, and what is equally important, with the nation's instinct of justice.

Comment—It will be observed that no question of Japanese immigration is involved. The controversy rages over "the rights" of the Japanese who are already in California.

That is always the second phase of the problem. First comes the question of admission. Why should they not be admitted? They work

well, etc., etc. And after admission, inevitably arise the dozen questions of their "rights." South Africa at the present moment is at sharp issue with the British Government on that very question.

Is it not much better to say to the unassimilable races—You are well aware of the difficulties and conflicts which would be produced by establishing your domicile amongst us. You know that it will inevitably breed controversies, not only in our country, but internationally between both countries. Residence with us is by no means a necessity for you. Remain where you are. We shall interchange with you in trade, in friendships. We respect you. For many reasons, we admire you. But—we are different.

Canada—There is greater reason in Canada than in the United States for carefulness in this respect. In California out of a population of about three and a half million, only about 125,000 or 3.6 per cent. are Asiatics. Whereas of the British Columbia 450,000, no less than 57,000—more than 12 per cent.—are from Asia. We are handicapped, too, with assumed British obligation to India, and the Anglo-Japanese War alliance.

In this extremely important matter, as in all others, our motto must be CANADA FIRST.

November, 1920.

Some Important Points.

The Governor General—According to the newspaper report of his recent speech at Edmonton, his Excellency said:

We should not rest on our oars, nor follow a happy-go-lucky line of conduct, but take our full share and part, not only in the development of Canada, but also in world-wide politics.

Upon such a declaration as this, the only proper comment is that whatever Canada's policy ought to be, the Governor General ought not to express opinion about it. He is here as representing the King, and the King would be taking a long step toward the termination of his dynasty if he made any declaration as to what British foreign policy ought to be. I had hoped that in the Duke of Devonshire we should at last have one man who, recognizing the limitations of his office, would pursue a purely constitutional line of conduct in Canada. I am extremely sorry that his Excellency has not been able to complete his term of office without assuming to advise Canadian people as to what

Canada ought to do. He knows perfectly well that, upon such a step as he descanted upon, opinion in Canada is very sharply divided; and he knows that to take one side or the other is to bring upon himself condemnation. His imperialism has proved to be too strong for his discretion. The incident adds to the already overwhelming supply of evidence that the highest political office in Canada must be filled by a Canadian.

Lord Hugh Cecil—I have to thank Lord Hugh Cecil for his frank acknowledgment of the purpose of the British imperialists. As I have frequently pointed out, the interest of the United Kingdom in Canada has always been a self-interest. While we were of value commercially—during the period of British protective policy—we were prized because of the monopoly which British manufacturers and shippers enjoyed in Canada. When the United Kingdom introduced free trade, and monopoly ceased, we were told, almost unanimously, to “loose the bonds and go.” And when, at our third stage, our value for fighting purposes came to be recognized, various projects were launched and prosecuted for the purpose of securing our military assistance. This last, although absolutely true, is not frequently acknowledged; and, again, I thank Lord Hugh Cecil for having said:

It is important to remember that a main purpose of uniting the Empire is to organize it for war and what belongs to war, for the foreign policy that leads up to war, and for the armaments and other means of defence that are necessary for carrying war on. It is in respect to our relations to foreign countries and to our dependencies that we feel principally the lack of imperial union and the consequent difficulty of fulfilling our national vocation as a single people. Organized unitedly for war, we should have the machinery which would be also available for carrying out any imperial policy within the dependencies of the Empire. . . . But we wish to bring them into activity as part of the operative power of the Empire as a whole, in order that a single national unit may fulfil in the world its appointed vocation.

In other words, the United Kingdom is to determine its “imperial policy”—be it in Europe, in Egypt, in Persia, in Mesopotamia, in China, or elsewhere—and the dominions are to supply “the machinery,” and to form “part of the operative power of the Empire.” It is for Canada to say whether she is content to be a source of military supply—men, munitions and money—in order that British statesmen may pursue such policy as they from time to time may believe will fulfil the British Empire’s “appointed vocation.” I wonder what the “appointed vocation” is, and who appointed it.

The Navy League—That there is great difference of opinion in Canada as to Canadian foreign policy, is well illustrated by a resolution adopted by The Navy League on the 8th of February, 1919, as follows:

Resolved, that The Navy League of Canada favors a naval policy for Canada which will take account of the necessities of the whole of the British Empire.

Canadian policy in this respect is but one item in the full range of Canada's international conduct. If the war has been of the slightest benefit to Canada politically, it has been to teach her that, with reference to future obligations, she must retain, unqualified and untrammelled in her own hands, the right to determine what course, under future eventualities, she will pursue. It must not again be that, before she has any adequate knowledge of what is happening, Canada is to find herself engaged in war. The policy of The Navy League is the contrary of that. Leaguers are quite willing to leave the direction of foreign affairs in the hands of the British government, and, meanwhile, to supply ships, men, and money in order that the British, as "a single national unit may fulfil in the world its appointed vocation."

Viscount Cave—Viscount Cave is reported to have said at Calgary:

Any man who seeks to weaken the links of empire is doing harm to the whole of civilization, the consequences of which no man can see.

Viscount Cave is a member of the Judicial Committee of the Privy Council, and as such, is assumed to have some knowledge of the development of colonial self-government. Is it possible that he is not aware that the whole history of the political elevation of Canada from military governors to the conception, if not the absolute reality, of social governors, has been a process of not merely weakening but of destroying "the links of empire"? Is he not aware that the only remaining links are the King and the Judicial Committee? Is he not aware that the functions of his Committee have been, from time to time, cut down by Canadian legislation? Is he not aware that the consequences of that diminution are, so far as "harm to the whole of civilization" is concerned, such as "no man can see"? Can he not understand that, for the full realization of Canadian "civilization," it is essential that we should have sufficient self-respect to assert our capacity to settle our own law suits?

The League of Nations—France and Belgium have recently entered into a war-alliance, and, as usual, the treaty is accompanied by

a military convention. The original idea of two documents was that the obligation of the parties would be expressed in what was called the political treaty, while the military methods to be pursued—the number of troops, their destination, etc.—were placed in a separate military convention. There have, however, been many cases in which the obligations of the parties were purposely stated in vague and perfunctory form in the political treaty, while their real scope was developed in the military convention. For example, in the political treaty between France and Russia of August, 1891, the extent of the commitments of the parties was expressed by such words as “that they will consult on every question” and that they “agree to come to understanding on the measures.” In the military convention, however, the true nature of the agreement was made manifest by such unmistakable language as the following:

If France is attacked by Germany, or by Italy sustained by Germany, Russia will employ all her available forces in attacking Germany.

France and Belgium now propose to register with the League of Nations their political treaty, but have declined to register their military convention, upon the ground that that would be to disclose the nature of the military arrangements. Article 18, however, of the League of Nations requires that—

Every treaty or international engagement entered into hereafter by any member of the League shall be forthwith registered with the Secretariat, and shall as soon as possible be published by it. No such treaty or international engagement shall be binding until so registered.

This clause will be rendered utterly useless if the contention of France and Belgium be accepted. Their plea would be excellent were it not that the whole design of the League is that military arrangements between nations are not to be secret. Probably, however, there is not the slightest use in denying to France and Belgium the right to maintain secrecy. If the League should rule that military conventions must be registered, some other form of document will be made use of; and the League's opinion as to it will not be asked.

Mandates—In a previous article, entitled *Mandates and Grabs*, I pointed out that, so far from the League of Nations allotting mandates, their distribution had proved to be “a mere matter of bargaining between the United Kingdom, France and Italy.” It appears now that not only is that statement quite true, but that these nations have so far kept to themselves the form of the mandates which they have

allotted to themselves. A recent telegram from Paris informs us that

The Council of the League of Nations has requested the Premiers to furnish the conditions upon which mandates have been granted to the various Powers, and the exact boundaries established for mandatory purposes.

The League may dominate the little nations. It will never control the Great Powers. Indeed the chief purpose of the League is that the big should regulate the little. International human nature has not changed since the times of The Holy Alliance and The European Concerts.

October, 1920.

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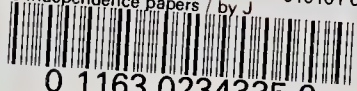
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